FAYETTEVILLE OBSERVER.

VOL. XXII. FAYETTEVILLE, N. C. WEDNESDAY EVENING, JANUARY 23, 1839. [NO. 1129]

D AND PUBLISHED, WEEKLY,
Edward J. Hale,
er annum, if paid in advance; $3
ring the year of subscription; or
the end of the year.

ISEMENTS inserted for sixty cents
the first, and thirty cents for each
blication. Advertisers are request-
e number of insertions desired, or
continued till forbid, and charged

to the Editor must be post paid.

A course of CHEMICAL LECTURES will be delivered during the present Winter in the Laboratory at Donaldson Academy on Tuesday evening, 23d inst., P. M.
the course, at one dollar each, may r. Hale's Book Store, or at the La-

County Creditors.

ons to whom the County of Cumber- in any way indebted, are requested to ims with the Clerk of the County before the 1st day of February next, signed, Committee appointed by the at purpose, will meet on that day to ccounts.

C. P. MALLETT,
HENRY ELLIOTT,
JONATHAN EVANS, } *Committee.*
0, 1839

For Rent,

RTABLE DWELLING HOUSE t, South side of Rowan Street, with convenient Out Houses, and other sually attached to a genteel private

lars, inquire of
H. W. AYER, Agent.
1839 28tf

Real Estate for sale.

criber is authorised to sell at Private e REAL ESTATE in the town of owned by Mrs Rebecca Moore, situ- n, Gillespie and Dick Streets. Such disposed of on the 19th January, will ble Auction, at the Town House, on Terms at sale.

J. W WRIGHT, Agent.
le, Dec. 24, 1838. 25ts

Postponement.

e advertised as above is postponed un- urday the 26th instant.
15 1839. 28ts

Just Received,

STEAMER HENRIETTA,
ACKS Liverpool SALT,
Bags Rio COFFEE, (new crop,)
Tons English IRON, (assorted,)
Bbls New England Rum.
And for sale by
C. J. ORRELL.
5, 1839. 28tf

—ALSO—
o horse WAGGON, well Ironed, and -road. C. J. O.

of North Carolina,

UMBERLAND COUNTY
leas and Quarter Sessions, De- cember Term, 1838.
Flora McMillan and others,
vs.
Millan, Adm'r of Dan'l McMillan, dec'd, wife of Arch'd Baker, Margaret Ew- wife of Malcom Gilchrist, Malcom Gal- exander Galbreath, Catharine, wife of ontgomery, and Sarah, wife of John also, Catharine, wife of Alex'r Smith, of James Graham, Neill A McMillan, McMillan and Margaret McMillan, (a

ON FOR DIVISION OF SLAVES.

ring to the satisfaction of the Court, e above named Defendants, Mary, wife Baker, Margaret Ewing, Anna, wife of ilchrist, Malcom Galbreath, Alex'r Gal harine, wife of Fayette Montgomery, of John McLeran, Catharine, wife of h, Mary, wife of James Graham, Neill n, Arch'd A. McMillan, and Margaret re not inhabitants of this State: It is Ordered, That publication be made in tteville Observer, for six successive said Defendants to appear at the next is Court, then and there to plead, an- emur, or the Petition will be taken pro and heard ex parte.

s, John McLaurin, Jun'r, Clerk of our t, at Office in Fayetteville, the 1st Mon- cember, A. D 1838, and in the 63d year an Independence.

JOHN McLAURIN, Jr., Clk.

e of North Carolina,

BLADEN COUNTY.
rt of Equity, Fall Term, 1838.
Samuel N. Richardson
vs.
rs at Law of Robert McRee, deceased
TION FOR A SALE OF LANDS.
aring to the satisfaction of the Court, e Defendants in this cause, viz. William r. Samuel McRee, William Johnston, Watson and wife Helen, Mr. —— Wim- wife Sarah, are not inhabitants of this is therefore Ordered, That publication ix weeks in the Observer, published in of Fayetteville, for the said Defendants, McRee, Samuel McRee, William John- —— Watson and wife Helen, Mr. Wim- wife Sarah, to be and appear at the next e Court of Equity, to be held for the Bladen, at the Court House in Eliza- on the first Monday after the fourth March next, then and there to plead, emur to Plaintiff's Petition, or it will ro confesso, and heard ex parte as to dants.

ALEX'R McDOWELL, C. M. E.

eceived per Cotton Plant,

ASKS CHEESE,
For sale by
SAM'L W. TILLINGHAST.
The Subscriber will continue to re- ular Supplies of this article during the
S. W. T.
r 17, 1838. 15tf

other's Catechism.

EDITION just published and for sale
E. J. HALE.
1838.

Wrapping Paper.

REAMS, various sizes, for sale low.
E. J. HALE.
large supply of Plain and Ruled Fools Letter PAPER.

The Saddle, Harness and Trunk Making Business

WILL be carried on as usual at the old Stand of George W. Ragland, dec'd, for his widow, under the superintendence of O. Houston, where will be kept constantly on hand the above mentioned articles.

Repairing done at the shortest notice.

O. HOUSTON, Ag't.
December 22, 1838. 25-5w

FRESH GARDEN SEEDS.

THE subscriber (Agent for D. Landreth, Philadelphia,) has just received a general assortment of GARDEN SEEDS, of the growth of 1838.

S. T. HAWLEY.
January 9. 27-3w.

A FIRST rate SADDLE HORSE, 6 years old, good blood, free of any fault, to be sold because the owner has no use for him. Apply at this office. 27-3w

WM. PRINCE & SONS

WILL make sales of Trees and Cuttings of the genuine Chinese Morus Multicaulis, Morus Expansa, Alpine, Broussa, Canton, and other varieties, deliverable to the purchasers at such period in the Spring as is convenient to them, and will enter into contracts accordingly. Prices and terms for the Trees and Cuttings will be forwarded to all who may apply for them by mail, as well as prices of Silk Worms' Eggs, Mulberry Seeds, &c. The Multicaulis Trees are remarkably vigorous, and as we first imported the genuine Tree, purchasers are sure of obtaining the true kind — It is from this cause, and from the great attention paid by them, that the trees they have sold have given universal satisfaction.

Flushing, near New York, Jan. 1, 1839. 27 4t

N. B.—The Trees being now planted in cellars, can be sent at any moment.

NOTICE.

THE Subscriber offers for sale the following Property, viz:

900 acres of Land, lying on the Wilmington Road, and on both sides Rockfish, 50 or 60 of which is cleared and under fence, and has thereon a Barn, Stable, and two other small Buildings also, a valuable Mill Seat, on a stream that affords water sufficient to drive 2 saws. 150 acres of this Tract is considered the best of Swamp Land, and is well timbered with Oak and Hickory, and other portions of said Land is well timbered with Pine, Black Jack, and Lightwood, and is within 3 miles of town.

One other Tract, containing 1200 acres, including my Saw Mill, and other houses; the Land well timbered with Pine, Oak and Lightwood.

There are several other Tracts on Rockfish, lying above the last mentioned, supposed to contain about 6 000 acres, all of which is well timbered, and none more than 2 miles from the Creek, and on which there are a number of Mill Seats, equal to any in the State

To Gentlemen of Capital and enterprize, this Property would be a valuable acquisition. Persons disposed to purchase will please call on me, and I will show them the Property at any time.

WM. R. CARMAN.
Jan. 8, 1839. 27tf

STOP THE THIEF!

Twenty Dollars Reward.

STOLEN from me, in September last, a negro man named PRINCE, about 26 years of age, five feet 10 inches high, stout built, pretty black, walks with his toes very much out, and is inclined to laugh when spoken to He was stolen by a white woman by the name of Sally Groves, about 19 years of age, 5 feet 5 inches high, tolerably fair skin, grey eyes, dark flax hair, brazen, mixed with a down look. She had with her, when she left, a young white girl child, 3 months old, with a red spot on its face. They were taken up in October at Wilmington, the boy put in Jail, the woman drove off. The boy has since broke Jail and I think they will try to get together and make North. I will give the above reward for the apprehension and confining in any Jail, so that I can get the boy and bring the thief to justice. When she was taken in Wilmington, the boy was dressed in women's clothes, and they may do the same again if they get together.

THOMAS W. HUEY.
Jacksonham P. O., (S. C.) } 27 6w
December 28, 1838. }

P. S —The woman called herself Green Buie when she travelled to Wilmington.

Leather.

THE Subscribers have now on hand a fine Stock of LEATHER, consisting of Sole and Upper, Bridle and Harness, Skirting and Grain Kip, Calf, Deer and Sheep Skins, which they will sell low for Cash, or on time to punctual customers. They are prepared to execute with promptness all orders in their line.

Call and examine our stock before supplying yourselves.

L. S. BELDEN & CO.
January 8, 1839. 27tf

LANDS AND MILLS FOR SALE.

THE Subscriber, determined to close all his business in this place, offers for sale his LOT in town, and will divide it in two or three Lots to suit purchasers. It contains one acre, and would be large enough to make three building lots.—Also, the Tobacco Factory Lots, with a good house thereon, and store house and lot in Campbellton, within four feet of the rail road. Also, a Store and large Warehouse in Fayetteville, on Person street. Also, my Mill and about four thousand acres of Land on Carver's Creek. There is upwards of 200 acres of cleared Land, with a good house, large barn, and three other houses upon it. Said Land is believed to be among the best Corn Land in the sand hills. There is 5 to 600 acres of said Land which can be cleared, and is little inferior to any on Cape Fear River,—a large quantity of which is as well timbered as any Land in the county. It will be sold in separate tracts or all together to suit purchasers. Together with all my stock of Cattle, consisting of Horses, Cows, Hogs; two Wagons; a first rate Timber Wagon; all my Household Furniture; Pew No. 22 in the Presbyterian Church; Corn, Fodder, Hay, and Farming Utensils.

I have, also, 100,000 feet of Pine Lumber, consisting of Quarter Boards, Wide do. and Scantling, 5,000 feet of Oak Plank and Sweet Gum Boards, and can furnish Pine, Oak, Sweet Gum, Poplar and Cypress to any bill till the above described sale.

MICHAEL McGARY.
January 7, 1839. 27tf

20 BAGS LAGUIRA COFFEE.
10 Casks ground Plaister Paris.
for sale by
J. HUSKE & SON.
January 9. 27-tf

Blanks for sale at this Office.

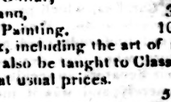
Sulkey and Harness for Sale.

A GOOD second hand SULKEY, on Elliptic Springs, not much used, together with Harness, for sale. Apply at this office. 27-3w

Flour Ticket Found.

FOUND, in the street, yesterday, a flour Ticket, which the owner can have on describing it and paying for this advertisement.

A. W. STEELE.
January 9, 1839. 27-tf



New Stage Line.

THE Subscribers have established a line of Stages, with the Mail, from Fayetteville to Warsaw Depot, on the Wilmington Rail Road, connecting with the cars on that Road both to Wilmington and to the North. They have good Stages, excellent Horses, and faithful Drivers, and will leave no effort untried to give public satisfaction. The following are the hours of departure and arrival:

Leave Fayetteville, Sunday, Tuesday, Thursday, } at 9 P. M.
Arrive at do. Saturday, Tuesday, Thursday, } at 1 A. M.

BAKER & BLOCKER, Proprietors.
Fayetteville, Jan. 1839. 27tf

FAYETTEVILLE FEMALE SEMINARY.

TEACHERS.

Mr. BAILEY—Principal.
Miss BOSTOCK—Literature and Science.
——Elementary Department.
Miss SCOTT—Music on Piano, Guitar and Organ; Drawing, Painting and Wax work.
Miss HOFFMANN—French and German Languages; Drawing and Needle work, embracing the most fashionable Embroidery.
Miss M. BAILEY, } Assistants.
Miss H. BAILEY, }

ACADEMIC YEAR consists of two Sessions of 20 weeks each, commencing with Monday, October 15th.

TERMS.

Second Class,	$8 per Session.
First Class,	16 " "
French Language,	10 " "
Admission to conversation class in French,	2 " "
Others not members of the School,	4 " "
Music on the Piano,	25 " "
" " Organ,	25 " "
" " Guitar,	
Use of the Piano,	3 " "
Drawing and Painting,	10 " "

Fancy work, including the art of making Wax Flowers, will also be taught to Classes formed for the purpose, at usual prices.

Incidentals, 50 Cents.

Boarding in respectable and genteel families, from $50 to $60 per Session.

Tuition is charged from the time of entrance to the end of the Session.

No deduction made for absences except in case of sickness.

A fee of $1 each admits the Chemistry Class to Rev. Mr. Colton's course of Lectures.

Those who already play on the Piano Forte will be taught to play on the Parlor Organ, or Seraphine, for $15, including the use of the instrument.

A new Piano Forte and Guitar for sale at the Seminary.

January 1. 1839. 27tf

☞ **A few Boarders can be accommodated** with Mr BEACH, at the Academy Buildings where the Teachers reside

IN STORE,

70 SACKS Rio and Cuba COFFEE,
10 hhds. Porto Rico and St. Croix Sugar,
20 do N Orleans & Porto Rico Molasses
4 cases best Imperial Tea, in Catties,
10 tons Swedes Iron,
20 boxes Fayetteville Mould Candles,
30 boxes 8 x 10 and 10 x 12 Window Glass,
50 do Yellow Soap,
50 bags Shot,
500 lbs Bar Lead,
4 boxes Starch,
1 cerroon Indigo,
30 kegs White Lead, in Oil,
5 barrels Paint Oil,
5 do Train Oil,
200 lbs. Putty,
1 cask Winter strained Lamp Oil,
100 bales Northern Hay,
20 M Spanish Cigars, in half & qr. boxes,
For sale by
COOK & CO.
Fayetteville, January 1, 1839. 26 4w

Marlborough Academy.

THE EXERCISES of this flourishing Institution will re-commence on the second Monday in January next, under the direction of Mr. Charles M. T. McCauley as Principal in the Male, and the Miss Simpsons in the Female department.

In the Male department a general course of studies will be embraced, calculated to prepare young men for admission into any of the most respectable Colleges.

In the Female department a thorough course of English studies, embracing a variety of Ornamental branches will be pursued, together with the French, and perhaps other languages if necessary, and music.

The scholastic year will embrace two sessions of 22 weeks each. The tuition for each of which will be required in advance; nor will allowance be made for any other than unavoidable withdrawals.

The rates of tuition are various according to grade, but perhaps more reasonable than at any other Institution of equal respectability in the State,—whilst Board may be obtained in the best houses, Public or Private, at from $7 to $10 per month.

Those literary facilities presented, in the village of Bennettsville, distinguished for health, morality, sociability and refinement, the Board of Trustees confidently deem sufficient to induce extensive patronage.

To the surrourding country, to whose liberality and patronage each department of the Institution is already indebted for its commodious structure and eminent respectability, the Board think it unnecessary to make an appeal;—as readily might they suppose that a luxury when obtained would not be enjoyed;—but to those who, in absence of such facilities, have to seek them abroad, this advertisment is more particularly directed.

JAMES C. THOMAS,
Secretary Board of Trustees.
Bennettsville, S. C., Dec. 20, 1838 26 tf

NEGROES Wanted.

THE undersigned wishes to employ twenty able bodied Negro Men, for whom the highest prices will be paid They will be well fed, cloth- ed, &c. In my absence, reference may be made to John Waddill, Jr.

ABRAM BAKER.
March 1, 1838. 83 tf.

Garden Seeds.

THE Subscriber has just received a large supply of FRESH GARDEN SEEDS, warranted of the growth of 1838, and from the same establishment as the excellent Seeds sold by him last season.

E. J. HALE.
December 26, 1838.

Just received,

150 CASKS THOMASTOWN LIME.
H. LEETE.
January 1, 1839. 26tf

Bale Rope at 5 Cents.

A QUANTITY of BALE ROPE, taken from bags of Cotton manufactured at the Subscriber's Mill, for sale at 5 cents per pound.

C. P. MALLETT.
November 28, 1837. 69tf.

COMMON SCHOOLS.

AN ACT to divide the Counties into School Districts, and for other purposes.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That it shall be the duty of the Sheriffs of the several counties of this State, when they advertise the next election for members of Congress, to give notice, at the same time, by public advertisement in every election precinct, that an election will be held to ascertain the voice of the people upon the subject of common schools; and all who are in favor of raising by taxation one dollar for every two dollars proposed to be furnished out of the literary fund, for the establishment of common schools in each school district, will deposite their vote with the word "school" written on it; those opposed to it, will vote "no school" upon their tickets; and all who vote for members of the House of Commons shall be entitled to vote. And it shall be the duty of the poll keepers to count the votes given at each precinct for school or no school, and to return the same to the sheriff, who shall count together all the votes; and if a majority shall be found in favour of schools, it shall be the duty of the sheriff to furnish a certificate of the same to the next County Court of his county; and any sheriff failing to comply with the requisitions of this act, shall suffer all the penalties imposed by law for failing to discharge his duty in any election for members of Assembly.

2. *Be it further enacted*, That the several Courts of Pleas and Quarter Sessions in each county of the State of North Carolina shall, in such county as shall determine to accept these terms, at the first court that may happen after such election, a majority of the Justices of such county being present, proceed to elect not less than five, nor more than ten persons, as superintendents of common schools, for such county; and in such election it shall be necessary for a choice, that each of the persons elected shall receive a majority of the votes of all the justices present.

3. *Be it further enacted*, That said superintendents, or a majority of them, shall meet within a reasonable time thereafter, and shall have power to choose one of their number as chairman, and shall proceed to divide their respective counties into school districts, for the purpose of establishing common schools, containing not more than six miles square, but having regard to the number of the white children in each, so far as they can ascertain the same: *Provided, nevertheless*, that no greater number of school districts shall be laid off in any county than shall be equal to one for every six miles square of inhabited territory in said county.

4. *Be it further enacted*, That said superintendents shall number the districts, and make return thereof to the first County Court in their several counties, which shall be held after the first day of January, one thousand eight hundred and forty; and it shall be the duty of said superintendents, in making their return, to designate, as well as they may, the natural boundaries and prominent objects of the boundary of each of said districts; and it shall be the duty of said court to cause such return to be recorded in the Register's office of said county.

5. *Be it further enacted*, That the aforesaid boards of superintendents, in each county, after completing the division as aforesaid, shall appoint not less than three, nor more than six school committee men, in each district, whose duty it shall be to assist said superintendents in all matters pertaining to the establishment of schools for their respective districts.

6. *Be it further enacted*, That if any person who shall be thus appointed to serve as superintendent shall refuse or neglect to do so after having accepted said appointment, he shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt in any court of record in this State; and such penalty, when recovered, to be paid over to the President and Directors of the Literary Fund, and it shall be the duty of the County Attorney for the State to prosecute suit in all such cases for and on behalf of the President and Directors of the Literary Board.

7. *Be it further enacted*, That in any county where a majority of the votes have been for common schools, and a certificate of the same has been furnished by the sheriff to the said superintendents of common schools, it shall be the duty of the superintendents to transmit the same, with a certificate of the number of school districts in their respective counties, to the President of the Literary Board.

8. *Be it further enacted*, That in every county in the State, where the vote shall be in favor of common schools, it shall be the duty of the said County Courts, at the first term that shall happen after the first Monday in January, one thousand eight hundred and forty, a majority of the Justices being present, to levy a tax to the amount of twenty dollars for each district in said county, in the same manner that other county taxes are now levied for other county purposes, to be paid over to the school committee of the respective districts, upon the certificate of the chairman of the board of superintendents.

9. *Be it further enacted*, That forty dollars out of the nett income of the literary fund for the year one thousand eight hundred and forty-nine is hereby appropriated to each district in said counties where the vote shall be in favor of the establishment of common schools, which shall be paid by the Public Treasurer, upon the warrant of the Governor, upon the certificate of the chairman of the board of superintendents of said counties that taxes have been levied to the amount of twenty dollars for each school district in their respective counties, and that school houses have been erected in each district sufficient to accommodate at least fifty scholars.

10. *Be it further enacted*, That every County which shall refuse or neglect to levy the tax, and build the school houses herein specified, shall at any time hereafter be entitled to receive the forty dollars hereby appropriated to each district, upon complying with the terms herein before specified.

11. *Be it further enacted*, That if in taking the next Census of the United States, Congress shall fail to provide for ascertaining the number of inhabitants, and especially of White Children in the several school districts of North Carolina, it shall be the duty of the Governor, as President of the Board of Common Schools, to make such arrangement with the Marshal of the United States for the district of North Carolina, or with his deputies in the several Counties, or with such other person or persons as he may deem proper, to cause such Census to be ascertained, together with any other information which he may deem important to the establishment of a just and equal system of Common Schools throughout the State; and to communicate the same, together with a full report of the returns of the superintendents in the several counties, and the proceedings of the Board of common Schools under this act.

12. *And be it further enacted*, That it shall be the duty of the County Trustee, or the agent of Public accounts, in each county, to transmit to the Governor, as President of the Board of Common Schools, a full and accurate statement of the whole amount of taxes levied and collected in his county for the Years one thousand eight hundred and thirty nine and one thousand eight hundred and forty (excepting the public revenues paid into the public Treasury by the Sheriffs,) specifying in such statement what were the subjects from which such taxes were levied, and how much from each source of taxation; also a full and true account of the disbursements of the monies so collected, showing specially what amount have been paid for the prosecution of insolvent criminals, and their maintenance in jail; and that such statements shall be returned to the Governor on or before the first day of December, one thousand eight hundred and forty; and if any county Trustee or other agent of public accounts shall fail to make return as aforesaid, he shall forfeit and pay the sum of two hundred Dollars, to be added to the fund for common schools, and it shall be the especial duty of the solicitor of each county to sue for the same, if any failure shall occur in his county.

Read three times and ratified in General Assembly this eighth day of January, A. D 1839.

WILL. A. GRAHAM S. H. C.
A. JOYNER, S. S.

FROM THE RALEIGH STAR.

"ABOLITION IN NORTH CAROLINA."

The Standard adverts to the fact that Mr. Morehead presented to the Senate memorials from the Quakers in his county, and does the whigs gross injustice by an insidious attempt to implicate the whole party in the transaction.—It says: "So we see that Federal Whiggery, in this State, is opening the way to assist their Northern abolition allies."

Now, we happened to be present on the occasion referred to, and from our knowledge of the feelings manifested by Senators of both parties, are able to set this matter right before the public. We did not mention it in our abstract of the proceedings, because Mr. M. withdrew the memorials, and the Senate *unanimously* resolved that no notice should be taken of them on the Journal.

The facts are simply these: Mr. Morehead stated that he felt bound to present them as he had been requested to do so by a large and respectable portion of his constituents; but to show how far it was from his intention or desire to favor the object of the abolitionists, he would state that he was probably the largest slaveholder in that section of the country, and could not be so blind to his own interest as to give countenance to their designs. Considerable excitement was manifested on all sides, and both administration and opposition Senators emphatically declared it was a subject they *would not* entertain on that floor. Mr. Edwards especially, made some very excellent remarks, which he concluded by saying, he hoped the Senate would not be compelled to vote on the question; he should be loth to act, he could not trust himself to think upon it; but if required to do so he should unhesitatingly vote against entertaining the subject. He hoped, however, the petitions would be withdrawn. The Senator from Guilford, he said, had discharged his duty ably, and he would now respectfully ask him to withdraw the petitions. Mr. Morehead then rose, and remarked that as the gentleman from Warren believed he had discharged his duty, and requested him to withdraw the memorials, he would do so; upon which Mr. Edwards remarked that it gave him pleasure to say that the gentleman had not "only discharged his duty ably, but manfully."

And this is the great matter which the Standard makes the ground of bringing out his grave charge that *the whigs in this State are opening the way to assist the Northern abolitionists!* O shame! where is thy blush?

We subjoin the petition published in the Standard, with the remark, that we rejoice that the Whig Senators were as prompt and decided in kicking it out of the Senate as any of the other party. As to the charge that Mr. M. "refused to permit the other to be seen," we understand it is so far from being true, that the petition was handed about in the Senate, and any one was allowed to examine it who signified a desire to do so.

"PETITION, from our yearly meeting of the "Society of Friends, held at New Garden, Guilford county, N. C., in the 11th month, 1838, to the ensuing General Assembly.

"We entreat you to legislate for the termination of Slavery in this State.

"Signed by direction of the meeting,
by NATHAN MENDENHALL, Clerk."

FROM THE PETERSBURG INTELLIGENCER.

NORTH CAROLINA SENATORS.

The letter from those *Democrats*, Messrs. Brown and Strange, to the North Carolina Legislature, which we published in our last paper, shows to the world with how much justice some of the Democratic Republicans claim the name. The Resolutions of the North Carolina Legislature are so plain that no man, whose head would not be bursted by the reception of half an idea, could fail to understand them; yet two mere Senators cannot fasten out their meaning, but are compelled to write to the Legislature of their State to ask an explanation. Now let us suppose that Messrs. Brown and Strange are as irreclaimably *stupid*, (no other term will apply) as they affect to be. Let us suppose that they really do not know whether their constituents intended to instruct them or not. Let us even go further, and suppose that the Assembly did not really intend to instruct, but was content with an expression of its opinion on the matters embraced by the resolutions. Will these suppositions justify the Senators in adhering to their seats? By no means. If Messrs. B. & S. are the democrats which they profess to be; they would simply enquire—*are we acting in accordance with the will of our constituents?* If not, *we must either conform to their wishes or resign our seats.* This is the language of genuine democracy. But though the Carolina Senators are not within a bowshot of being Solomons, yet they are not quite so stupid as they affect to be: They know full well that the Resolutions *are* instructions in every sense of the word. Their affected want of comprehension is a little trick which disgraces themselves—the respectable State which they *mis*-represent, and the dignified body of which they are unworthy members.

SAVANNAH, JAN. 12.

Fire.—Steamboat Burnt.—We regret to be called on to chronicle the destruction, by fire, of the steamer Clarendon, Capt. Hart, owned by Mr. John Guilmartin and Mr. Michael Dillon, two of our enterprising fellow-citizens. The Clarendon was on her way from Darien to this city, and about eight o'clock, on Thursday morning, while near St. Catherine's Island, was discovered to be on fire. It broke out over the boiler a mid ships, and such was its progress, despite the exertions of those on board, that Mr. Guilmartin, who was on board, at the time, and four of the hands, had to reach the shore by leaping from the steamboat into the marsh, while the captain and the rest of the hands, on board, including a passenger, escaped in the boat.

There were 516 bales of Cotton on board, shipped by Messrs. Rodgers & Crane, of Darien, consigned to Messrs. E Bliss & Co, of this city, which were, of course, consumed.

To the presence of mind displayed by Mr. John Fox the Engineer, all on board ascribe their exemption from the hazard of an explosion, which might have proved fatal to many on board the steamer.

The Clarendon was not insured; she is therefore, a total loss to her worthy owners.

The fire is attributed to accident.

A Name.—The Wards of Lancashire are a distinguished family for character, wealth, and talent; the eldest son, John Wood, has been returned member of Parliament for Preston several times, and proved himself a steady supporter of civil and religious liberty. A laughable circumstance once took place upon a trial in Lancashire, where the head of the family, Mr. Wood, senior, was examined as a witness. Upon giving his name, Ottiwell Wood, the judge, addressing the reverend person, said, "Pray, Mr. Wood, how do you spell your name?" The old gentleman replied,—

O double T
I double U
E double L
Double U
Double O D

Upon which the astonished lawgiver laid down his pen, saying it was the most extraordinary name he had ever met with in his life, and, after two or three attempts, declared he was unable to record it. The court was convulsed with laughter.—*Gardiner's Music and Friends.*

"*Here goes for your wig.*—Uncle Sam is in a sad plight. He is beset with thieves and has not the power to drive off the swarm. When Swartwout steamed it Europewards, all was consternation; and when Mr. Attorney Price came forward, we could but place him in the stead of the rogue who found an infirm old gentleman moaning at something lost.—"What's the matter, sir?" said the fellow.—"Oh sir, a villain just stole my gold-laced hat from my head, and ran away with it."—"Why don't you run after him?" asked the rogue.—"Bless your heart, sir, I can't run at all—I can hardly walk."—"The duce you can't," said the rogue, "and he stole your hat?"—"Yes, he did, sir."—"And you can't run?"—"Not I." "Nor catch him?"—"No."—"Then here goes for your wig!" and accordingly pulling off that thatch for the head, the fellow went off like a shot, and the old gentleman was left as bald as a coote. Just such is the condition of Uncle Sam. Unless he shakes off the band of robbers who have fastened on him, he will scarcely escape with his scalp!

Ohio State Jour.

A Clerk in the Land office in Washington, in a letter which is published, says:—"I deem it necessary to inform you that before I was appointed to the Land Office, I was required by the Commissioner to satisfy him as to my political opinions, which I did in a letter from one of the oldest and most respectable of our citizens."

And this is done in a *free republican* Country! Before a man can obtain a petty office, he is required to "satisfy" those in authority, as to his political "opinions." Is not this discreditable to the nation?—When will there be an end of such miserable tyranny?—*Alex. Gaz.*

A Wit.—A man that has once got his character up for a wit is always sure of a laugh, say what he may. He may utter as much nonsense as he pleases, and all will pass current. No one stops to question the coin of a rich man; but a poor devil cannot pass off either a joke or a guinea, without its being examined on both sides. Wit and coin are always doubted with a threadbare coat.

The population of the City of Washington is set down at 23,677 souls. During the past year, there were erected 37 brick buildings, 4 of which were of three stories, and 33 of two stories.

UNITED STATES SENATE.

MONDAY, January 14.

RESOLUTIONS OF THE LEGISLATURE OF NORTH CAROLINA.

Mr. BROWN said he rose to present to the Senate certain resolutions which had been adopted by the General Assembly of the State of North Carolina, at their late session, expressive of their views and opinions in regard to some of the important measures and questions of public policy, which have been, and now are, pending before the country. However uncourteous some of the language was in reference to a late act of this body, which it had performed in the exercise of its high constitutional powers, and profoundly as he regretted *that* expressions derogating from the respect due to this body were embraced in the resolutions, yet he could not hesitate, in obedience to a proper sense of respect to the Legislature of his State, to offer them, in compliance with the request contained in one of the resolutions.

It was alike due to himself, to his constituents, and to the importance of the occasion itself, to state very explicitly the view he took of the resolutions, and the course which high considerations of public duty required that he should pursue in regard to them. He felt the deep responsibility under which he acted, and had given to the subject that anxious deliberation which its public importance and the great questions of public interest involved in it demanded.

In regard to most of the resolutions, it would readily be perceived that the opinions expressed in them directly conflict with the course which he had heretofore pursued on the measures of public policy to which they refer, and that a principle is asserted in one of them, in regard to a question of constitutional power, entirely at variance with his vote on the resolution ordering the expunction of the condemnatory resolution passed against President Jackson, for removing the public deposites from the late Bank of the United States. In relation to extravagant expenditure and Executive patronage, referred to by two others of the resolutions, his votes would most abundantly prove that his whole course had been, since honored with a seat in that body, to diminish both so far as it was practicable for him to do so.

Having very briefly adverted to the political character of the resolutions, the next inquiry which presents itself for consideration is, whether they are to be viewed by my honorable colleague and myself as instructions, or as the mere expressions of the opinions of the Legislature, leaving to us a discretionary power in exercising our judgments on the subjects to which they relate. That they are not to be considered as *instructions*, the proofs, to his mind, were clear and irresistible. They do not, on their face, profess to *instruct*, but, on the contrary, that word, or any other of mandatory import, is omitted with the most *guarded* caution; omitted no doubt not by accident, but by design. What could have been the intention for omitting it? The motive clearly was, not to commit the party passing these resolutions to the doctrine of instructions. Whenever, said Mr. B. the General Assembly of North Carolina has thought proper, on former occasions, to resort to the great Republican principle of instruction, it has spoken out in bold, frank, and unequivocal language. It has, by directly instructing the Senators representing the State, taken the responsibility on itself of the vote which it commanded them to give. A positive command, by instructions, from the Legislature of a State to its Senators to give a particular vote, places the vote under the control of the Legislature, and is, in effect, the vote of the power commanding it; thereby taking from the Senator all discretion, and, consequently, relieving him from all responsibility to the people of the State. The Legislature, therefore, does not take on itself the responsibility of the Senator's vote unless it *instructs him*. *On the contrary*, if it declines to instruct him, it declines taking the responsibility of his vote, and, therefore, has no right to expect him to express their opinions when they refuse to take on themselves the consequences of his vote to the people of the State. The Legislature of North Carolina has long since established the principle that they had the right to *instruct*, and so essential has the employment of that word been considered to the efficacy of resolutions of instruction, that the Republicans of that State have invariably employed it on all great occasions when they intended to command the votes of their Senators.

Mr. B. said in referring to the journals of the Senate, he perceived that the late venerable Mr. Macon, then a member of this body, had presented resolutions, passed by the Legislature of North Carolina at their session of 1816, instructing their Senators to endeavor to procure certain amendments to the Constitution in relation to the mode of electing President and Vice President of the United States. The Legislature which adopted them resolved, in one of the resolutions, "that our Senators in the Congress of the United States be *instructed*, and our Representatives be *requested*, to endeavor to obtain the said amendment to the Constitution of the United States." At the succeeding session of the Legislature of North Carolina the same resolutions were again adopted, and again asserted, in the same language, the right of instruction. That the General Assembly then considered mandatory language as essential to instructions is most strikingly obvious, from the marked distinction between the terms employed by them in the resolutions to the Senators and the Representatives in Congress. The former are expressly "*instructed*," and the latter are merely "*requested*," to perform their will. It is, therefore, perfectly clear, from the use of the latter term to the Representatives in Congress, over whose votes the Legislature never professed to have any control, that a mere expression of opinion, unaccompanied by instructions, never was viewed by them as obligatory on those to whom they were addressed. This great right had been repeatedly since asserted, and exercised in the same language of command, to their Senators, by successive Legislatures of North Carolina, from the period just referred to down to its session of 1834, when they re-asserted and exercised, in positive and unequivocal language, the right of instruction, on the question of expunging from the journals of the Senate of the United States the resolutions condemnatory of President Jackson. The long continued practice, therefore, of the Legislature of that State, in regard to instructions, shows very conclusively, that whenever they have intended to take all discretion from their Senators in regard to any particular vote, that they have expressly, and in plain language, instructed

Mr. B. said, he held, when resolutions directly instructing had passed a legislative body, that it was not competent to go beyond the instructions themselves to ascertain the meaning of the Legislature; but when instructions were not given, on the face of the resolutions, that it was competent to look beyond them to arrive at the intentions of those passing them. He adverted to an amendment offered in both branches of the Legislature, when the resolutions were before them, proposing to insert the word "*instruct*," and which was rejected by the *unanimous vote* of the *friends* of the resolutions, in both instances. This act, in his opinion, was decisive of the question, and proved that those who passed them did not intend to commit themselves, by their acts, to the doctrine of instruction.

The resolutions did not merely omit to instruct, but they contained, on their face, expressions which constituted a direct attack on that great fundamental principle of the Republican creed. They declare that act of the Senate of the United States, expunging from its journals the condemnatory resolution against President Jackson, to have been "*an act of party servility, calculated to degrade the Senate.*"

Mr. B. said, so far as his own vote had had any agency in carrying into effect that just sentence, vindicatory of the Constitution and the liberties of the people, both of which had been wantonly assailed in the unauthorized and unjust sentence against the Chief Magistrate of the nation, that he had acted under resolutions passed by the Legislature of his State *commanding* it to be done. He believed a majority of the State Legislatures of the Union had also passed similar instructions to their Senators. If, therefore, the doctrine of instruction be correct, what power is there that can rightfully arraign the motives of those who have only acted in obedience to it, and carried out the will of those under whose commands they have performed the act required to be done? To impeach, therefore, the motives of those, thus acting under instructions, is a direct attack on the principle of instruction, and, in effect, a denial of the right to instruct.

But in order to have all doubt removed as to the intention of those who passed them, his honorable colleague and himself had addressed a respectful communication to the Legislature of their State, asking to be informed if the resolutions were to be taken as instructions. We had publicly declared that we would obey or resign, if *instructed*. We considered, that to have done either under resolutions not containing instructions, was not required by our pledge, and would have been a manifest dereliction of public duty under all the circumstances. We desired, then, proper ground to stand on. If we resigned, we wished to do so under the great principle of instruction, and not under resolutions in which it was not recognised. The Legislature, thus candidly and respectfully appealed to, have refused, in terms not very courteous, to give any further information as to the question of instruction.

When the issue was thus fairly presented, we had a right to expect, on every principle of candor, an emphatic expression of opinion one way or the other, in regard to the intentions of the Legislature on the question of instruction. If they had asserted their intention to instruct, I was prepared, as is known to many of my friends, instantly to have surrendered to them the public trust which I hold. They, however, again decline to assert the principle of instruction, in the resolution passed by them, and thus afford clear and unquestionable proof that they do not intend to commit themselves to the doctrine. Which of the parties had acted in good faith—those addressing the communication, and soliciting an expression of opinion on a plain question, to which an answer was easy, and which they deemed important to the public liberty, as well as to the regulation of their own conduct—or those who had declined to answer it? He would appeal to the honest and intelligent judgment of his constituents to decide.

When, therefore, he took into view the circumstances which formed a part of the history of the resolutions, the guarded caution with which the party passing them avoided committing themselves on the record to the right of instruction, and the open and avowed hostility of some of those voting for the resolutions to the doctrine of instruction, the direct attack on that great principle itself, on the face of the resolutions, and the refusal of the Legislature, on a candid appeal made to them, to assert the right—the most irresistible proof is afforded, by positive acts, that they (the Legislature) did not intend to recognise the right of instruction; and if not, on what principle of honor, or by what right, either moral or political, can it be expected that they will be considered and acted on by others as instructions?

The resolutions profess to speak the will of the people. If they were instructions, he admitted that they would be obligatory in the fullest sense of the term; but they were not, and did not profess to be, and therefore the question as respects public opinion, as well as every other in relation to them, is open to the freest inquiry. He did not, himself, believe that they expressed public opinion, as to many of the important topics on which they undertake to declare it. He believed the people of the State had heard with utter surprise, that the subject of the expunging resolutions had been introduced. It was a topic that had not been brought before them at the elections, and therefore could not have been anticipated. Again, he did not believe they expressed public opinion, as no question had ever been brought more directly and immediately before the people of North Carolina than was that, at the elections in 1834, involving the course of President Jackson in regard to the *Bank of the United States*, and the justice of expunging the sentence pronounced against him from the journals of the Senate.

The Legislature, at its session of 1834, in obedience to that public will, commanded their Senators, by express instructions, to vote for it. The people elected two successive Legislatures, which ratified and re-affirmed, in effect, that decision, as the resolutions remained unrevoked by them. It would, therefore, be in derogation of the well known political consistency of the people of North Carolina, to suppose that a decision so well considered, and so deliberately made, had been *reversed* by them. No President had ever been more strongly sustained than was President Jackson, at three successive elections, by the people of that State, whose well-earned fame the resolutions which the Legislature had passed aimed so strong a blow at. He could not, therefore, admit that his constituents had abandoned their long cherished political attachments, and were prepared to aid in sacrificing the public character of the honest soldier and patriot statesman. He could not consent, therefore, to record, by his vote, a sentence so derogatory to the people, and to the Legislature of 1834, to whose favor he was indebted for his re-election. To resign, would, in his opinion, be a tacit admission, on his part, that the people had changed their opinion on this question, and an acquiescence in the charge of inconsistency against them, which it involved, which he should consider it a departure from his duty to do, unless acting under instructions that left him no other alternative.

He had declared, in his speech on the Constitutional Treasury, and on other occasions, that if instructed by his Legislature, he would obey or resign. He had used the word in that sense which conveys a meaning universally acted on and understood by the Republican party of this country, and likewise asserted it in his speeches, to be a duty, in *the absence* of instructions, to pursue the dictates of his own judgment. In the *absence of instructions*, therefore, his decision as to the present resolutions, which did not recognise, in any part of them, that right, was entirely consistent with his often repeated declarations on that subject.

The course which his colleague and himself felt bound to take, from a high sense of public duty, on this occasion, involved not simply the question of what was due to themselves and their own principles—not simply a question of mere party ascendancy, but it involved questions of far more transcendant importance. It involved a great principle of popular liberty. If they resigned their seats, they indirectly aided in attacking the great fundamental right of instruction, which the resolutions, on their face, not only attacked, as he had already shown, but, by their unquestionable tendency, went to overthrow. They, in effect, as he had shown, contained a denial of that doctrine. For us, therefore, to acquiesce in them, by obedience or resignation, would aid in subverting a principle long consecrated in the Republican creed. If they suffered themselves, by indirection, to be driven from the post which the public had assigned them, he could not permit himself to doubt that the very party that had passed the resolutions, would point to them to prove that *their political friends* had never admitted the doctrine of instruction. We should thus be accessory to the establishment of the doctrine that the people, through their Legislature, had no right to instruct. We should thus contribute to establish the doctrine that Senators of the Federal party, if hereafter elected from the State, would be licensed to disobey instructions, and should be irresponsible to the people, as they would no doubt quote *these very resolutions* to prove that instructions were no part of *their* political creed. It would, therefore, (repeated Mr. B.) be, in effect, an attack on the doctrine of instruction, if we acquiesced in them either by obedience or resignation, and would be a surrender of a great question of public liberty. Thus we should be placing in the hands of a political party, already denying the right of instruction, and asserting other dangerous doctrines in regard to popular rights, an immense engine to beat down those rights. It was placing in their hands an instrument which would serve as a sword to use against their political adversaries, and would at the same time be used as a shield to *shelter and protect themselves*, when in power, from instructions. He, post, under such circumstances, as an abandonment of his duty to the people whom he represented, and as betraying a want of firmness to meet the crisis. He could not respect himself if he were to do it, and he sincerely trusted that his high minded and intelligent constituents would appreciate his motives and the delicacy of his situation. He had been sustained by them with a firmness and fixedness of purpose, for a period of more than nine years, through many trying and difficult events in public affairs, that impressed him with an indelible sense of gratitude.

He had never sought office nor desired it for himself; nor had any of those connected with him ever, through his means, enjoyed office under this or the past Administration. He therefore appealed to his constituents to decide how far the charge of "*party servility*" applied to him, or to his public course. In order to remove all doubts as to the motives which actuated him, and to show that he desired his public course should be tested by the popular will of his State, at the first State elections which intervened, he had come to the determination to resign his seat in the Senate of the United States to the next Legislature of his State, when they should assemble, for the residue of his term then remaining.

Mr. B. said that he felt deeply, and to its full extent, the great responsibility of his present situation. But at a great crisis in our public affairs, when the very existence of free government was at stake, when an evident effort was making to strip the people of their political sovereignty, and, in effect, to transfer it to the banking corporations of the country, he should dare to do his duty. To falter under such circumstances, and in such a crisis, and to shrink from a just responsibility from a fear of consequences, would, while it betrayed an unbecoming timidity, be treachery to those who had committed to him their dearest rights and interests. His course, therefore, was taken, and it was for his constituents to decide on it; and to that decision he was prepared to yield with entire deference.

Mr. STRANGE said: it is with great reluctance, Mr. President, that I occupy the public time and attention of the Senate, upon matters which seem properly to rest between our constituents and my colleague and myself. Two considerations, however, prompt me to occupy a portion of both. The one is, the established practice, so far as I am able to judge, prevailing in this body, on like occasions; and the other, its being, in my judgment, the most convenient and respectful mode of throwing immediately before our constituents our purposes, with a short statement of the reasons which govern us. I find myself in one of the most responsible positions I have ever occupied, and my anxious wish has been so to act as to ensure, at least, the unwavering approbation of my own conscience. From my political adversaries, I have learned to know, by sad experience, that I have no favor to hope for, and not even justice to expect. Act as I may, my conduct will be mis-represented and my motives impeached. Even from my political friends, I have reason to apprehend division in their judgment of my course, while I know they will do justice to my motives.

The resolutions just read come from a source entitled to my highest respect and most deferential consideration. They are from the Legislature of a state to which I am deeply indebted, ways without number. Though but an adopted son of that State, she has heaped upon me kindnesses far, very far, beyond my deserts, and I have enjoyed golden opinions far beyond my merits from all sorts of people. Though not a native of the State, there has my heart found the objects of its tenderest affections, and thither does it turn instinctively when that magic word "home" stirs within it those holy associations which no other word has power to awaken. Coming, then, from such a source, how gladly would I have found myself able to follow in any direction to which they might point! how cheerfully have reposed upon such a counsellor, and thrown off the responsibility of acting upon my own fallible judgment! Had these resolutions been couched in terms of command, no alternative would have been left me but obedience or resignation. Coming as they do, merely in the language of counsel or advice, I should unhesitatingly follow that counsel could I do so consistently with my sense of duty and my own self-respect. But the two first of these resolutions counsel me to that which not all the terrors of an *auto de fe* could induce me to perform. Gracious Heaven! to place upon the everlasting records of my country, my own declaration, that I had violated her Constitution, upon the infamous motive of party servility! No! sooner would I bite off my tongue, and spit it back in the faces of those who had counselled such infamy, however high and dignified the stations they might fill. No! conscious as I am of having been actuated in what I did, by motives the highest, the purest, the most patriotic, I am proud to have my name associated with the act, and am content that posterity may judge of me by it alone. Mistaken I may have been, but never was corruption farther from my heart. If those were corrupt who did the deed, what were the Legislatures of the noble States who commanded it to be done? I *myself*, in the part I acted, but conformed to the express instructions of the Legislature of North Carolina. A Legislature elected when that question was distinctly before the people; and notwithstanding those instructions were given, a Legislature, a majority of which was favorable to those instructions, was again elected. I could not, therefore, with proper respect to the Legislature and people of North Carolina, by whose command the act was done, censure it in the manner proposed, if there was nothing else to restrain me.

Far be it from me, in thus remarking upon the resolutions, to impeach the motives or impugn the conduct of those who passed them. My own opinion is, that family quarrels should never be carried beyond the paternal domain, and, if I have any thing to complain of in the temper, language, or substance of these resolutions, on a different theatre will that complaint be made. Here, at least, it is my wish and my purpose, always to speak respectfully of those whom the people of North Carolina shall see fit to elevate to high places.

The terms of the resolution having placed confidently to them entirely out of the question, it remains to be considered what is my alternative course. Were I at liberty to consult the suggestions of impassioned personal pride, I should certainly resign. It is always easier to retreat from a difficulty or danger than to encounter it, and abide the issue. When a man gets into a political difficulty, the shades of private life have many attractive charms, and upon them he is apt to cast a wishful eye. For my part, I acknowledge that I feel myself in a political difficulty, from which I would willingly retreat, if I might do so with propriety. But the question is one of duty simply, and not of choice. If it is not my duty to resign, it is my duty to remain here. One or the other is clearly obligatory upon me; and which is the question? As I said before, had these resolutions been couched in the language of command, obedience or resignation would have been my duty. I accepted the trust I now hold, under the full knowledge that those who sent me here expected me to obey instructions when received, or resign. Such is the creed of the political party that elected me, and I should disappoint their expectations if I refused to act upon that principle; but, on the other hand, I should be guilty of treachery to them if, upon any other ground than a high sense of duty, I surrendered the post to which they have assigned me. If the Legislative elections in North Carolina were shortly to occur, my position would be clear of all difficulty. I would at once, at the close of this session, return back to the people the trust I hold, to be conferred by them according to their pleasure. But in the long interval to ensue before another election in that State, very calamitous results might, in my apprehension, attend an immediate resignation. Every man knows that a most important political struggle is now going on in the land, pregnant, as all admit, with the most interesting consequences. Each party is full of hope, and expects victory in the issue. A feather may turn the scale. The diminution of force on one side, or a slight accession on the other, may decide the controversy. And shall I cast in a feather into the scale of my adversaries? It is my duty to stand here, and do my utmost in advancement of those principles which I hold sacred. It is my duty, if for no other reason but to keep those out who would certainly be sent in my place. I know there are many men of both parties in North Carolina, who are better qualified than myself to fill this station. But of the many able sons of North Carolina who differ with me in political opinions, and for whom I have the highest personal respect, I should reluctantly see any one here at the present moment. Those who sent me here, therefore, have a right to expect that I will maintain my post, unless driven from it by some paramount principle, and that I do not abandon it in a cowardly manner, upon the occurrence of the first difficulty. There is but one great and paramount principle which can be for a moment supposed to demand my resignation; and that is the doctrine of instruction. Upon that doctrine my colleague has fully and ably enlarged. Am I, then, by any creed upon that subject, placed in a situation to render my resignation a duty? Of the political party of which a majority of those who voted for these resolutions constitute a part, it is a principle that there is no right in the Legislature to instruct, and, consequently, no obligation on the part of the Senator either to obey or resign. No complaint, therefore, can be made by them of any course which we may think proper to adopt. Of the political party to which I have been attached, the creed is to be found in Mr. Leigh's celebrated report in the Virginia Legislature, and in the uniform practice of all those Legislatures who have attempted any efficient action in Federal affairs. In the document before mentioned it is said, "Senators are instructed, and Representatives requested;" and it goes on to give the reason for this difference of language, that over the one a right to command is claimed, and towards the other the more tender of advice. In the one case, they may assume to declare the popular will in the language proper to the expression of will—*command*; and when so expressed, it must stand for that will, whether really so or not. In the other, their command does not stand for the popular will, and the responsibility still rests upon the Representative to find out what it is. This difference of language has been uniformly used, as far as I am able to learn, in all resolutions adopted by Legislatures of the different States, whenever they have attempted any direct action in Federal affairs. They have assumed that the Legislature is recognised as embodying the popular will of the State, so far as Senators are concerned, whenever they think proper to use language appropriate to the utterance of will. But whenever they adopt only such language as they may with propriety use to a Representative, in addressing their Senators, it is not intended to be more operative upon the one than the other. In the one case, they themselves assume the responsibility, and stand between the Senator and the people of the State. In the other, they do not undertake to utter the public will; but while they suggest, leave the public servant to judge of that will upon his own responsibility.

Such has been the obvious understanding of all the preceding Legislatures of North Carolina, who have undertaken to address their agents in this body. From their earliest action, down to 1834, when the resolutions were passed commanding the act now denounced as unconstitutional, and dictated by party servility, they used this peculiar phraseology. Language consists merely of the signs, which, by common consent, have been received as representing particular ideas. Technical language frequently differs from common language. By common consent, the word *instructions* has received a technical signification, when used in an address by the Legislature of a State to its Senators in Congress. These facts were all well known to the Legislature of North Carolina, which passed the resolutions under consideration. Was, then, the omission of the word uniformly used by the Legislatures heretofore, when they designed direct action upon their Senators, an accidental or whimsical omission merely; and was it intended or believed that those used would be coefficient? I have not the slightest idea that it was. In the first place, the known belief of many who voted for these resolutions, that the Legislature has no right to instruct Senators, and consequently that there is no obligation on Senators to obey, forbids the idea. They could not have intended what they believed they had no right to do. Such a suspicion would, I am persuaded, do them great injustice. The just conclusion is, that they meant to do just what they have done—the expression of their belief that public opinion is what they set forth in those resolutions to be their own opinions, believing, most justly, that while they had no right to command, their opinions would be most respectfully considered by their Senators. The omission of the word instructions was designed. And why? Because it was well known that a peculiar force and signification was attached to it, and an operation given to it which they did not approve, and therefore did not wish to sanction it by its use. That the omission was designed, is further proven by the fact, which is a matter of history, that in both Houses a proposed amendment by its insertion was rejected. But to place the matter beyond all doubt, my colleague and myself addressed a joint letter to the Legislature—not inquiring what effect they intended their resolutions to have—not implying a doubt which we did not entertain—but openly declaring what we firmly believed, that we should not hold them as instructions, at the same time declaring our purpose to obey or resign, should we be instructed. This letter was written in the most perfect sincerity and good faith. I care not who may think proper to question it. I can appeal to God and my own conscience for my truth. But it is also known to friends here, to whom I declared my determination to resign if my construction of the resolutions was pronounced erroneous. It was not so pronounced. We received no answer to our communication. The vindication of my sincerity in addressing that letter, therefore, presents a strong consideration against resignation. If I resign now, it may be justly said that when I wrote my letter to the Legislature I considered these resolutions as instructions, in the face of my declaration to the contrary, and am now borne down by the weight of my conviction. I still think, as I thought then, that they are not instructions either in fact or according to the intention of most of those who voted for them; and so believing, the alternative of obedience or resignation is not presented to me. Is there, then, any obligation upon me to resign? Does any human being perceive any? Who can point it out? Perfect obedience is out of the question. It follows, then, in my judgment, that for the present it is my duty to remain here, and, while I do not treat the resolutions as instructions, I will show them all due respect and give to them such influence over my conduct as my judgment may approve.

I have said, that had the Legislature met during the ensuing year, I would resign at the close of this session; but it is still my purpose to afford the sovereign people of N. C the earliest opportunity of deciding the important question, by what class of politicians they choose to be represented in this body. The Legislature, at its first biennial session, shall have an opportunity of selecting for the seat I fill, a Democrat or a Federalist; one who thinks it right to wipe off the foul and unjust stigma cast upon the fame of Andrew Jackson, or one who is for perpetuating it through all generations. This they will have an opportunity of doing, under a fair expression of public sentiment; and to the people of N. C. will I cheerfully submit the issue.

Mr. CLAY, of Kentucky, said: I could have wished that some other Senator had thought proper to make the few observations that are called for by the present occasion; but, as no one has risen for that purpose, and as the Legislature of N. C. are on this subject here unrepresented, and as the propositions embraced in these resolutions have not a single sentiment with which I do not most heartily concur, I trust that I shall be indulged when making a few remarks on this occasion; and I assure the Senator from North Carolina last up, that nothing is further from my purpose than to do any injustice to him or his colleagues; and I think it was a little unkind and gratuitous in him to say that he never expected to receive justice from his opponents.

The Legislature of North Carolina have been charged by gentlemen with using disrespectful language in these resolutions. But if their language was indecorous, the rules of the Senate prescribe it as their course of duty that the resolutions ought not to have been submitted, for, as I understand those rules, it is the duty of every member, when he has a memorial or resolutions to be presented to see that they are couched in the proper language.

But in what respect are these resolutions disrespectful to the Senate, as I understood was charged by both the Senators from North Carolina? [Mr Strange said he made no allusion to disrespectful language.] At least Mr. C understood the other Senator (Mr. Brown) to say that one of the resolutions was disrespectful towards the Senate. [Mr Brown said he so spoke of one of the resolutions, but he thought it his duty to his State to present them notwithstanding, and in no possible contingency could he have refused to present them.] Mr C. said, I so understood the Senator that one of the resolutions was disrespectful, but he now says that, in deference to his Legislature, he still ought to present them. Sir, if there was indecorum in the language, I repeat that it was his duty, under the rules of the Senate, not to present the resolutions at all. [Mr. Brown said there was a very marked distinction between the Legislature of a sovereign State and individuals on this subject.] I am not aware, said Mr. C. that there is any such distinction expressed in the rules; and if the Legislature of a State uses disrespectful language, it is no more to be received than if it were from a private citizen. But let that pass.

In what respect are these resolutions disrespectful? The Senate, two or three years ago, adopted a resolution by a vote of a majority of the body, which resolution was afterward ordered to be expunged from the journal; and now the Legislature of North Carolina say that it was, in their opinion, an act of party servility to the National Executive then in power. Now let us suppose that either branch of Congress had really been guilty of an act of party servility to the Executive, have not legislative bodies a right to express it in this or any other country? But whether that act was one of servility or not, is a question on which history will in due time pass its decision. But, as I have said on every occasion here and elsewhere, it was in my opinion derogatory to this body, and history will pronounce upon it the severest censure.

But the Senators from North Carolina have both declared that they would have obeyed these resolutions if they had been mandatory in their language, instead of their being a simple expression of the will of their Legislature. But let us examine the nature and extent of this apology. What is the basis and what the principle of the doctrine of instruction? Sir, to a certain extent I have always believed in this doctrine, and have been ever ready to conform to it. But I hold to the doctrine as it stood in 1798, that in general, on questions of expediency, the representative should conform to his instructions, and so gratify the wishes and obey the will of his constituents, though on questions of constitutionality his course might be different; and therefore, when the Senator last up (Mr STRANGE) declared that he would rather submit to a certain operation, than to give his vote declaring there had been a violation of the Constitution, I felt some alarm lest the true doctrine of instructions should itself be subverted. And it did not appear to occur to him at the time that there was another alternative besides obeying—that is, to resign.

And what is the doctrine of instructions as it is held by all? Is it not that we are to conform to the wishes of our constituents? Is it not that we are to act, not in our own but in a delegated character? And will any who stand here, pretend that whenever they know the wishes or will of those who sent them here, they are not bound to conform to that will entirely? Is it not the doctrine that we are nothing more than the mirror to reflect the will of those who called us to our dignified office? That is the view which I take of the doctrine of instructions

And now I ask, is any peculiar language necessary, other than that by which the will of our constituents may be understood and carried out? Is there but one word that will answer—no other word but the word *instruct*? Is there no other language tantamount to that? If the Legislature simply express their will, is that not equivalent to the word *instruct*? Nay, more, is it not more respectful to those receiving the instructions to avoid them to use the word *instructions*? Infinitely more so, and I am more ready to comply with the wishes of any one, if he speaks to me in a courteous and polite manner, than if he made use of mandatory language. Sir, I say to my man Charles, please do so and so, and he does it instantly, and with much more pleasure than if I was more peremptory. Suppose I should say, Charles, I instruct you, he would think it very curious language; but if I say I would be obliged to you for my shoes or boots, he goes down and brings them as quick as possible. I assure the Senators it is no purpose of mine to treat them with the smallest disrespect; on the contrary, I sympathise with them, and regret extremely that they cannot conform to these resolutions, coming from so respectable a source as the Legislature of North Carolina. I should have been extremely happy if they could have conformed, and I believe the Constitution of North Carolina expressly provides for and secures the right of instruction, requiring the representatives of the people to conform and obey. And it appears to me tha[t] if the Legislature have the right and choose to give instructions, it is no matter in what words or language those instructions are given; and I should feel myself bound to conform to their wishes thus communicated. But if the argument of the senior Senator (Mr. Brown) from North Carolina is correct, even if the most positive language were used, as has been done on two several occasions, and in my judgment now, I suppose, if that were the case, he would not feel bound to obey the will of the Legislature in opposition to what he might be pleased to consider the will of the People, which he would regard as the paramount authority. But on one subject at least these resolutions speak in decisive language, on which I have not heard that the People of North Carolina have expressed any prior sentiment adverse to the course now intimated, and that is, the great subject of the public lands, which has been under laborious discussion here for the last eight or ten days; and I confess I regretted that these resolutions by the Legislature of North Carolina were not here, that we might have had the benefit of the knowledge of their wishes during the last week, when the debate on the subject was in progress. But I am glad they have come in before the passage of the bill, and I hope at least on the subject of the public lands we shall have the vote of the Senators from North Carolina in opposition to the wild schemes which have been denounced by the resolutions of the Legislature laid before us.

Mr. STRANGE again rose. He was not in the habit of looking to the Senator from Kentucky of late for advice. He must act on his own judgment. He did not stand in the same relation to the people of N. C. that the Senator's man Charles did to him. He was not their slave. As to the public Lands, he had come to the conclusion that the people of N. C. were opposed to the Graduation Bill, and he should oppose it. At the last session, he had voted for the bill, believing it to be the sentiment of his State, &c.

Mr. BROWN followed, with a violent personal attack on Mr. Clay. [We have not room for these speeches in extenso.]

Mr. CLAY said he was exceedingly sorry he had been instrumental in throwing the Senator from North Carolina into such a rage, and nothing, he said, was further from his purpose. But if he had intimated that the Legislature of North Carolina meanly prevaricated, and had made fraudulent use of the doctrine of instructions——

Mr. BROWN. I did not say so; my words were general.

Mr. CLAY. If his remarks were general, I do not see that they can have any specific application, except to this case. [Mr Brown, who was attempting to speak, was prevented by cries of order!] Mr. C. said it was far from his purpose to assume jurisdiction in this case, or any other, over the Senator or his colleague; and he was not more protest against it than Mr. C. was willing to exercise it. But what was the fact in the case? The Senators, on presenting the resolutions of their Legislature, had made speeches addressed to this body, and had spoken of the nature of their instructions, and of the degree of authority and of duty which bound them; all this they had done to a body of which Mr. C. was a member. If they had confined their thoughts on the subject to the resolutions, and contented themselves with simply presenting the resolutions, Mr. C. would have seen no reason for any remarks on his part. But when they expressed their views of the extent of the obligation due to their instructions on subjects in which the whole country was interested, Mr. C. thought it was not proper for him to speak. Mr. C. had spoken with reluctance, and would have been glad if another gentleman had spoken upon him; but as the question was about to be put, and as North Carolina was unrepresented, he had ventured to make a few remarks, and was so had called forth a most violent philippic against him personally. Mr. C. had not felt the slightest emotion while this was going on; but as the Senator had protested against Mr. C's course in the case, he should have recollected that he was assuming just such a jurisdiction over Mr. C's course, and that it was quite as exceptionable in a Senator to arraign Mr. C's course, as to arraign that of the Senator. But Mr. C. would say nothing in regard to himself, since the gentleman (Mr. Crittenden, on the land bill) had closed the impossibility of making any defence for Mr. C. on this floor; and he thought it vain to attempt to defend himself on this point the People of the country, judge; and if they condemned the course of Mr. C. in regard to the public lands, which was openly vocated, and which had placed the country years in advance of what it would otherwise have been, Mr. C. could only submit; and if the Speaker had the senior Senator from North Carolina had this question had shaken the pillars of the it would be right to give some credit to that he had endeavored to compose that versy by the bill which he had introduced years ago.

On the declaration of Mr. Strange, generally regarded Mr. C's course as voided, Mr. C. remarked that it was no of conduct toward Mr. S or any other but when they presented any measure ever ready to give it his consideration would not decide against him merely proposed the measure, but he would and if the ground was good he would act as Mr. S. was about to do with Mr. C tion.

Mr. C again disclaimed any intention fere between the Senators from North and their Legislature, and expressed which these resolutions gave him, account of their reference to the public he further justified the remarks which made, and especially by the apprehen he felt that the true doctrine of instruct stated in 1798, was now in danger of verted and destroyed.

The resolutions were now laid on the ordered to be printed.

We perceive that Mr. Strange of Carolina professes to understand the lutions recently adopted by the North lina Legislature, *so far as relates* Public Lands; *and he* accordingly intention to oppose the Graduation before the Senate. Not so Mr. his colleague. The obtusity of the gentleman's intellect disables him comprehending, in any degree, the tions of his constituents. He has sed idea, that the Resolutions of lature are adverse to the schemes of ral Executive, and he is content to opposition to them on that ground—in *practice*, if not in *theory*, that and above all things, called upon to and obey the wishes of the Executive.

Richmond Whig.

Mr. Wise and Mr. Cambreleng.—The following incident, in one of Mr. late Speeches, shows off Mr. Cambreleng no enviable light. It will be seen was convicted of a palpable falsehood, he made not the slightest effort to away:

Mr. CAMBRELENG said the gentleman from Virginia (Mr. WISE) had expressed surprise that C. had not included in his resolution the case of Mr. Price. It would have been wonderful had, as the departure of Mr. Price was not known at the time he offered the resolution.

Mr. WISE. I come now Mr. Speaker, to reply to the gentleman from New York, (Mr. Cambreleng.) I asked him, before, why he did not include the case of Price in his motion of inquiry; and he now tells me, in reply, that it would have been wonderful if he had, because the departure of Mr. Price was not then heard of by the Executive, sir! Mr. Price embarked on the 6th; plain enough news immediately reached the Treasury which he had letter; and the gentleman's resolution was offered on the 10th.

Mr. CAMBRELENG here explained. The Swartwout had been mentioned in the President's Message. The moment it was announced, he offered his resolution. Price's letter was published in the newspapers.

Mr. WISE. I refer the gentleman to the Journal. There is the entry. His resolution was moved on the 10th.

Mr. CAMBRELENG. Was it not *on the 8th*?

Mr. WISE. No, sir; it was *on the 10th*.

Mr. CAMBRELENG. I thought it had been earlier.

Mr. WISE. No, sir, no earlier. William M. Price, the co-orator of the honorable gentleman from New York, who preceded him at Tammany.

Mr CAMBRELENG. I refer the gentleman to my colleague who sits near me, (Mr Mercer.) Why I did not suggest to him to include the case of Price.

Mr. WISE. Oh ho! *you did!*—ah!—well! the gentleman did know of Price's case, else could he have suggested to my colleague to include it? [A laugh.]

Mr. MERCER here said it was very true that the honorable gentleman had made to him such a suggestion. Intending himself to offer a resolution in almost the same words with that which has subsequently been offered by his honorable colleague on the other side, (Mr. Cambreleng,) Mr. M. had submitted it to the gentleman from New York, who said, he was willing to accept all of it but the clause providing for the appointment of the investigating committee by ballot.

Mr. WISE. Well, sir. The matter stands precisely *in statu quo*. The gentleman did know of Price's defalcation, though he has just said, for the second time, that he did not. There is no escaping. The gentleman knew it, but did not include it in his resolution. Why? Mr. Price was a good, genuine, full blooded Locofoco. Swartwout was a Conservative. Swartwout's case must be examined,—nothing said about Price's.

Love Letters once caused a lady to claim—"When the devil's very desirous of ruining a man or a woman, he always puts a pen in their paw!"

OBSERVER.

FAYETTEVILLE:

ESDAY EVENING, JAN. 23, 1839.

t Triumph.—We have the follow- from a friend at Washington:—

ASHINGTON, Jan. 17, 7 o'clock P. M.

ir: We have this moment adopted the (yeas 113, nays 105.) to elect *by ballot* e of nine to examine the defalcations t and others, and are about to pro- election. We shall have four oppo- two Conservatives, and three Loco-

licted above, the balloting resulted ice of

LAN, (Whig) of Kentucky.
WISE, (Whig) of Virginia.
ERTIS, (Whig) of New York.
DAWSON, (Whig) of Georgia.
H. ELMORE, (Nul.) of S. Carolina.
SMITH, (Con.) of Maine.
SHMAN, (L. F.) of New Hampshire.
HOPKINS, (Con.) of Virginia.
HUBLEY, (L. F.) of Pennsylvania.

indeed a triumph. It plainly a majority of the House of tives has no confidence in the the Speaker of the House, and to have the investigation con- estly and fully.

next day, Messrs. Elmore, Cush- Hubley successively asked to be on serving on the committee, and sts were granted, by a small ma- essrs. Martin of Ala., Taylor of Wagener of Penn., were chosen in their stead; who, in turn, also were excused, except Mr. Wage- e request was refused. Mr. Fos- Y. and Mr. Owens of Geo. (Vans) chosen. So it appears to be diffi- any of *the party* to serve on the . Were they alarmed at the pros- disgusting disclosures to be made, that this was to be no white-wash- ittee? Would they have declined aker had had the appointment!

latest dates, (Saturday last,) the discussing a resolution of Mr. the Committee have leave to sit sittings of the House, and to go ork and elsewhere if necessary.

enators.—The people of North of all parties, will read with aston- e imagine, the exposition of the d intentions of Messrs. Brown , as contained in the debate given er. It furnishes another evidence lity with which men's opinions their wishes or interests, or the interests of their party. After all s of devotion to the public will;— e professions of democracy, so of- by them,—will it be believed that refuse to obey the popular voice of olina simply and only because the *struct*" is not employed to convey to their ears? It is indeed surpri-

there was a Legislature elected in arolina purely with reference to Na- tics, it was the last. In all our life, it has been in this our native State, l attention to the politics of the before exhibited to us, so ex- arty conflict, so complete a mark- y lines, as was apparent at the last This is evident from the fact, if ere at hand, that never before were of the members elect distinctly until after they had assembled and their party attachments by their this occasion every member's s known, except one, who was n his allegiance after the election. ese circumstances, how can the entertaining the opinions which selves have so often avowed, re- ont gross inconsistency, to carry ill of the people of North Carolina, ed through the only possible me- What, is it necessary that that will ed to them in particular *words*, ey themselves shall select? Is this of obedience they owe to the peo- orth Carolina, whose servants they be? Out upon such a poor refuge. n be, to the mind of man, no more ression of will, than the Legislature condemning the 'Expunging' act, ring that rescinding resolutions e passed: in condemning the Sub- system: in condemning Benton's m, as an act of gross injustice to tates: and approving the plan of di- e proceeds of the lands among all s: in protesting against the extra- of the Administration, and of the a- increase of the power and patronage xecutive. These things are certain- enough. But as if to leave no loop h to hang a doubt, the Legislature the whole with a solemn resolution, r Senators in Congress will repre- wishes of a majority of the people tate, *by voting to carry out the g resolutions.*" And yet the Sen- w their determination to regard that ne particular only—the subject of ic Lands.

is no better evidence of the incon- of their course, than the determina- ey the wishes of the Legislature on point. They now change their votes, re that it is because they find that e of North Carolina were opposed How did they ascertain this fact? ainly only by the identical resolu- h express the public will on other it is right to receive *that* as a ression of the public will, and to it, it is surely equally imperative he whole, and to obey the whole. hese gentlemen will obey in part, happens, unfortunately, that they question in which they are *pow-* will be seen that the Land bill has Senate, as well *without* their votes em, and for all practical purposes t as well have continued to set the l at defiance on this subject as on

is another remarkable declaration eches of both the Senators. They re that at the *next* session of our e they mean to resign. We may to ask, to what are we to attrib- edge? Is it because they are sat- they are misrepresenting North If not, then there can be no rea- for resigning; and if they are so where is the motive for resigning *then*, which does not act with ten-fold force *now*? Either they should resign now or they should not resign at all, to preserve their consistency, and carry out their principles.

The reasons given for holding on to their seats are most remarkable. "It is his duty to remain there, (says one of the Senators,) TO KEEP THOSE OUT WHO WOULD CERTAINLY BE SENT IN HIS PLACE!!" Because "very calamitous results might attend his resignation!" Because it might turn the scale in the important political struggle now going on in the land! And also, he might have added, because it is so consistent with democracy and all our former pledges, that the majority of the people of N. C. should not govern, but that we, being in office, will hold on until, as we hope, another turn of the wheel shall place our party again in power!

This is the secret of the *new* pledge to resign at a distant day—a day as distant as that was supposed to be to which former pledges referred. It is hoped that some fortunate turn in public affairs may again place the administration in power in our State before the elections of 1840. But let them not build too sanguinely on that sandy foundation. Revolutions in public sentiment here are not so frequent and easily effected, as to justify such a hope. From the first and palmy days of Jacksonism, the process has been exceedingly slow by which the State has changed its political allegiance, and we confidently expect that it will be still more slow in returning to the odious principles now held by the party. And let us whisper to the Senators that the course they have chosen to adopt will be very far from aiding to effect that revolution.

Both the Senators assert, and lay great stress upon the assertion, that it has been the "uniform practice" of the Legislature to employ the word "instruct" in giving expression to their will. We have good reason to believe that this is an error. If so, the Raleigh Editors, who have access to the record, will set the matter right.

The miserable pretence of Mr. Brown, that the resolutions are not binding on him as instructions *because* all those who voted for them voted against a motion to insert the word "instruct," is worthy only of himself and the Raleigh Standard, and is of a piece with the foul insinuation of abolitionism by that paper against the Whigs in the Legislature, *because* they would not vote to clog the resolutions with an amendment on that subject, kindly offered by a Van Buren member. Mr. Brown, like the Standard, failed to inform his hearers, that the Whigs declined the honor of having their resolutions altered, in any particular, to suit the palate of their opponents, by the insertion of even the most self-evident truism; at the same time that they offered to give the most respectful consideration to any separate substantive proposition their opponents might submit; and that they failed to submit any such, is sufficient evidence of the insincerity of their purposes.

We regret that want of room compels us to close these remarks. The speeches of the Senators are fruitful in subjects for reflection.

There is one remark in the reply of Mr. Strange to Mr. Clay which we cannot pass over. It is as follows.—

"He Mr. S. had said, that sad experience had warned him not to expect either favor or justice from his political opponents—and he said so truly. And now that the Senator had somewhat forced it upon him, he would remark, that no man had shown more comity, or deference to his political opponents than himself; and yet not only the scurrilous partisan newspapers of the country, but even by those with whom he had exchanged the courtesies of life, and from whom he had parted with the grasp of friendship, had his motives been assailed and his conduct impeached."

Our sole object in noticing this remark is to say, that *we* are guiltless in the matter. We are not concious of having ever, at any time or in any way, overstepped the bounds of justice or a proper respect for his character, personal and political. This we know, that we have refrained from noticing much that we could not approve in his public course, and from copying the harsh things said of him by others, out of regard for his personal character, and because he was treated harshly and unjustly by a portion of the newspaper press. But that press only followed the example, at an humble distance, of the Globe, the cherished organ of his own party.

Cotton—has sold here within a few days past as high as 12 87½. Extreme prices 10 to 12 87½.

At Charleston, extremes 10½ to 15½; but a slight decline has been experienced from those rates. At Columbia, sales as high as 15½, but subsequently a fall to 14½. At Augusta, 11½ to 14. At New York, Uplands 12½ to 15.

22d of February—A correspondent suggests that a Town meeting should be held, to make arrangements for a suitable observance of Washington's Birth-day, by an Address, &c.

Miss Davenport.—We regret exceedingly that we are compelled by want of room to omit the highly complimentary notice of this histrionic prodigy which was last week handed to us by a friend.

Gov. Swain's Report on Common Schools.—We have been waiting for sufficient spare space to publish the very interesting Report of the President and Directors of the Literary Fund, on the subject of Common Schools, said to be from the pen of Gov. Swain. We have read the Report with much satisfaction, and will not fail to present it to our readers, so soon as the press of matter incident to this season of the year, shall be disposed of.

We have also on hand, waiting room for its insertion, an able speech of Mr. Shepard, in the Senate, on the Fayetteville and Western Rail Road Bill.

The Common School Act.—We have only room to direct the attention of our readers to this Law, on our first page.

Southern Literary Messenger.—The January No. has been received and will be noticed more at length next week.

Election of Brigadier General.—We have at last procured the following statement of the vote in this Brigade for the office vacated by the resignation of Gen. Ayer:

	Dowd.	McNeill.	Sellers.
Cumberland,	0	39	4
Bladen,	8	1	4
Columbus,	16	1	0
Sampson,	0	0	22
Moore,	22	1	00
	46	42	30

It appears that some of the returns were not forwarded to the Major General in due time, and that some uncertainty consequently exists as to the successful candidate. We believe that no commission has been issued.

WASHINGTON AND THE DECLARATION.

Our attention has been drawn to the following notice, from one of the Raleigh papers, of two Engravings which appear to have elicited warm encomiums wherever they have been seen, as being altogether worthy of their glorious subjects. Understanding that Mr. Craig, the agent, will be in this place in a few days, we insert the annexed description, with a remark, that those who may wish to examine the prints will be waited on for that purpose if they will leave their names at the Book Store.

"From the many highly flattering accounts we had seen of these celebrated Engravings, we were led to expect finished specimens of a beautiful art, as well as a correct delineation of the immortal subjects they represent. Our previous expectations have been more than realized by an examination of the impressions before us. As specimens of the perfection to which the elegant art of Engraving has arrived in this country, these Pictures are worthy of all praise, and will well compare with the best Engravings of the Old World. The *Portrait of Washington*, which is a copy from Stuart's well known Painting, and is 18 by 24 inches in size, is unquestionably far the *best engraving* of the kind ever executed in this country, and is believed to present the *only perfect likeness* which has been published here or elsewhere—Stuart's Painting being the most celebrated for its correctness, and this Engraving being the *only* copy ever permitted to be taken from the original picture in Faneuil Hall, Boston. The *Declaration* is a truly beautiful steel miniature Engraving, from Trumbull's celebrated Painting in Washington, in which the Likenesses of the Signers are retained with great accuracy. Under the Picture follows the Document, the Fac-similies and Key of Reference. The Border contains the Arms of all the States and Portraits of the Presidents. We take pleasure in bespeaking for Mr. Craig a favorable reception from our citizens; and as his Engravings are entirely the production of our own Artists, and afforded (in elegant gilt frames when desired) at a very reasonable price, we doubt not but that they will all improve the opportunity to supply themselves."

CONGRESS.—After all the strenuous opposition of Mr. Clay and the other friends of the rights of the old States, the Graduation Bill has passed the Senate by the following vote:—

YEAS.—Messrs. Allen, Benton, Buchanan, Clay, of Alabama, Cuthbert, Foster, Fulton, Hubbard, King, Linn, Lumpkin, Lyon, Mouton, Nicholas, Niles, Norvell, Pierce, Robinson, Sevier, Smith, of Connecticut, Smith, of Indiana, Tipton, Walker, White, Williams, of Mississippi, Wright, Young —27.

NAYS.—Messrs. Bayard, Brown, Calhoun, Clay, of Kentucky, Crittenden, Davis, Knight, McKean, Merrick, Prentiss, Preston, Rives, Roane, Robbins, Ruggles, Southard, Spence, Strange, Swift, Tallmadge, Wall, Williams, of Maine—22.

[It will be seen that both the North Carolina Senators voted against the bill; and that *eight* members from the old thirteen States voted for it, every one of whom belongs to the Van Buren party, viz: Messrs. Buchanan, Cuthbert, Hubbard, Lumpkin, Niles, Pierce, Smith of Con., and Wright. So that if this bill should finally become a law, of which we have strong doubts, the old States will owe this violation of their rights to the administration.]

Mr. Lewis Williams presented to the House on the 16th inst. the Resolutions of our Legislature on Public Lands, which were read and referred.

The Raleigh Standard.—In the whole course of our life we think we have never seen a more contemptible exhibition of party malignity, of incendiary appeals to the baser passions of human nature, than disgraced even the columns of the last Standard, in closing its remarks on the Governor's Message. The attempt is made to produce the impression, that Governor Dudley is the advocate of laws to legalize entailed estates, and to produce a landed aristocracy. And upon what is this vile charge founded? Why, upon the most beneficent, wise and patriotic recommendations contained in the following paragraphs of the Message:—

"Agriculture, as the basis and support of all other interests is the most important, and merits your most deliberate consideration. The landed property of our State is held in too light estimation, and our attachment to the soil hangs too loosely about us. The places of our birth and early recollections—the theatres of our manly struggles, and maturer associations; the very grave yards of our fathers inspire no abiding attachments, but are sold and transferred with less emotion than are the brutes that graze upon them. Prematurely worn out by a loose and ruinous system of culture, our lands are parted from, without regret, and seldom descend to the third generation.

"This indifference arises, no doubt in part, from the abundance of our land and temptation presented by richer soils in climes more congenial to the favorite production of the day, Cotton. But in a greater degree to our laws, affording to this primary and paramount interest, no preferences or advantages over others. It is your duty as Legislators to investigate the causes and to provide the remedies if in your power.

"Might not this end be attained, (in part at least) by securing to every family in proportion to their number, certain portions of land immediately around and including their dwellings against all claims—subject during the life of the owner, widow or unmarried daughter, to their control and support, and afterwards to descend to the eldest married child, who has offspring, and so on forever; liable however to be sold at all times by the proprietor with the consent of his wife. By this means an asylum would be afforded under every contingency for the family; and widows and orphans, shielded from the degradations and sufferings of want. Owners of estates would here find inducements for systematic and permanent improvement—emigrants to purchase and locate among us, filling up our too sparse population and enhancing the value of our too depreciated soil.

The official correspondence between the Secretary of the Treasury and Swartwout, recently furnished on the call of the House of Representatives, reveals the important fact, that for nearly three years, from 1834 to 1837, MR. SWARTWOUT ADMINISTERED THE DUTIES OF HIS OFFICE AS COLLECTOR OF THE CUSTOMS—WITHOUT GIVING BONDS FOR A FAITHFUL PERFORMANCE OF THE DUTIES OF HIS OFFICE!!! *This, too, when the law of the land was imperative,—requiring that such Bonds should be given within three months after entering upon the duties of his office!*

What starting hole can Mr. Woodbury escape to save him from the open and apparent shame which this fact fixes upon him?

The "Royal William" left the pier at the foot of Pike street betwen 11 and 12 o'clock this morning carrying out 28 passengers but no freight.

Several government officers and U. S. Marshals were stationed at the dock to see that no sub-treasurers ran away in the "Royal William." They were supplied with blank warrants. Mr. Van Buren was not ready to go in this vessel.—*Herald.*

FOR THE OBSERVER.

Mr. Hale: Your paper of the 16th contained a copy of the Act amending the Charter of the Fayetteville and Western Rail Road Company, and an Act supplemental thereto; also the Message of Governor Dudley accompanying the Report of the President of the Company to the Legislature; which documents were published that the public might have before them all necessary information. It may not be useless to recur to what has passed to explain the ground we occupy now, and to throw out some suggestions as to the course to be pursued in relation to this deeply and vitally important work. I propose to attempt an explanation of these matters through the medium of your valuable paper.

First, then, as to what has taken place in relation to a connection between the Western part of the State and the Cape Fear River. In looking to the first movements in North Carolina on the subject of Internal Improvement, this junction of the Yadkin and the Cape Fear Rivers by some means has invariably been put forth as first in value and importance. In all the reports made by Mr. Murphy, whose ability and zeal all admit, this connection was first in his opinion. At one time it was supposed it could be brought about by a Canal. This was never attempted by reason of the cost, and of the difficulty and final failure of those schemes adopted for the improvement of the Yadkin River, which failure caused also the subject of Internal Improvement for many years to languish and almost expire in North Carolina, particularly in the Western part of the State, than which no section called more loudly for its renovating and benign influences. Fortunately for Western Carolina, this feeling of distrust occasioned by the failure of the improvements on the Yadkin River is wearing off, and has, as we think we shall show, been dissipated. We believe they are now in the West ready to meet the Cape Fear country, backed as we both are by the State, and once more make an effort in the good cause.

On the revival of the spirit of improvement in this State, which followed the success of the construction of Rail Roads throughout the country, the subject of a connection of the Yadkin and Cape Fear Rivers by Rail Road was agitated. Meetings in Raleigh, Salisbury, and other places, were held, to spread information and arouse the people, and invariably all these meetings declared with unanimity in favor of this scheme. A large, wealthy, and populous portion of N. Carolina were without a market, a home market. Year after year the riches of this section of the State were unfolding themselves to the people, waiting only enterprize, skill and energy to bring them to market.—First, Iron and Gold, then Silver, Copper, Lead and Coal, added to the agricultural productions, waiting only an easy and cheap outlet, to swell beyond the sanguine wishes of the owners of the soil, all confirming the importance and convincing us beyond doubt of the value of the connection, and showing that while nature indicated this connection, she offered us the means and pointed to the rewards if we would but do our duty.

After various meetings, a Company was organized, with a Charter from the State, to construct a Rail Road from the Cape Fear at the Town of Fayetteville, to a point on the Yadkin River, thence by two branches, the one in the direction of the Town of Wilkesborough, the other extending across the Valley of the Catawba River. At the session of 1836-37, an act was passed offering to aid individuals in the construction of the Road from the Cape Fear to the Yadkin, by a subscription of 2-5ths of the requisite sum, on certain conditions. The passage of this Law was hailed in this Town with demonstrations of joy. So it was in Salisbury. All believed spirit enough could be found, —means in the West and on Cape Fear were supposed to be sufficient—to secure the proffered aid of the State, and we hoped the Road would be made. In this place, before opening the Books, a sum was subscribed sufficient, as was believed, to justify the survey of the country, and fix with certainty the cost of the Road. A gentleman was authorized to engage the services of Major W. Gibbs McNeill, under whose direction the survey was begun and completed. The practicability, the cost, and even a confident opinion of the ultimate cost of the Road, was the result. Books of subscription were opened. What did the Town of Fayetteville do? She subscribed $140,000; whilst all the other counties and towns interested subscribed but $66,000. In some counties the Commissioners appointed neglected even to open the Books. In the mean time the charges of the survey were going on. Many even refused to pay their second Instalments, and it was left for a few individuals on their own means to carry forward and finish the survey.

It is but correct to say, that difficulties of a peculiar kind took place in the Spring of 1837. The pecuniary revulsion, like an earthquake, shook the country. Men became justly alarmed, not for their property only, but for their liberties—and who was to suffer in the shock was unknown. Other causes also operated. The attention of the West, and of the counties between the Cape Fear and the Yadkin, fixed as it had been, was distracted by the scheme of a road to run 40 miles West of Fayetteville. A failure to obtain the requisite amount of subscriptions was the result. Thus the affairs of the Rail Road remained, until during the Summer of 1838, in July, a meeting was held at Greensborough. Here, with equal unanimity as other Conventions had done, the connection of the Cape Fear River and the Yadkin was the favorite project.—They agreed to meet in Raleigh; and here in December another Convention was held. The result of its deliberations all know.

In your next I propose to continue the subject.

Mr. Clay.—Nothing can be more gratifying to the real friends of the country than the steady increase of the confidence with which Mr. Clay is regarded by the people and the Press of the United States. His efforts to defeat the atrocious schemes of Benton and others in the Senate to *give away* the whole public domain have won for him the just applause of all who can appreciate the lofty and patriotic motives by which he was governed. In Massachusetts, where a recent attempt was made to supplant him in the good opinion of the people of that unchanged commonwealth, advocates in his behalf are springing up on all hands, and we have not the least doubt that he is, at this moment, stronger with the popular favour there, than ever he was before. In North Carolina the public sentiment as to his pre-eminent talent and virtues has lately exhibited itself in an unequivocal manner; and in Virginia and Tennessee, his name, as the most prominent of all the great leaders of the Whig party, is on every tongue. Of all this the papers of the several States we have cited furnish unquestionable and constant evidence.—*Baltimore Chronicle.*

Mr. Calhoun.—The Richmond Whig says:—"We have received accounts from Washington confirmatory of the rumored dissatisfaction of Mr. Calhoun with the administration. That gentleman, it is now confidently asserted, is preparing to take another leap. The initiatory steps have been taken. What new position he will assume, we will not undertake to predict."

Accounts from Washington and elsewhere state that Mr. Calhoun and his political friends are not disposed, at present, to *cement* their alliance with the Administration.

Alex. Gaz.

NEW YORK, January 14.

The repeal of the small-bill law passed the New York House of Assembly, 117 ayes, noes 6; and the Senate ayes 28, noes 2. The Locofocos almost all gave in. New York, in mass, is on the *back track*. The Van Buren members of Congress may as well begin to learn to follow; for on this subject, as well as on the specie currency, this whole Union, from the rocky bay of Passamaquoddy to the sands of the Gulf of Mexico, will be ringing with the universal chorus of jubilant freedom. Indeed, the Van Buren Senators of this State, in debate, confessed indirectly that they were not going to ruin "the Party Democratic," not even for the benefit of Mr. Van Buren. The small bill humbug has had its day.

MARRIED,

In Anson county, on the 3d instant, by the Rev. Mr. McPherson, Mr. DUNCAN McGREGOR, to Miss ISABELLA NIVEN, of Cumberland.

In Bladen County, on the 17th instant, by the Rev. Hector McNeill, Mr. NEILL PATTERSON to Miss MARY ANN McPHAUL.

In Montgomery County, a few days ago, ALEXANDER LITTLE, Esq., Attorney at Law, of Wadesborough, to Mrs ELIZA McRAE, of the former county.

In Anson County, on the 13th inst., by Col. A. Polk, Mr. RICHARD JORDAN, of Talbot county, Georgia, to Miss ELIZABETH DUNCAN, of Anson

DIED,

At her residence in Columbus County, on Saturday the 19th inst., Mrs. MARY ANN SMITH, in the 63d year of her age, consort of Maj. Samuel Smith. In the death of this lady, nine children and a numerous circle of friends and relations are left to mourn a loss irreparable She died as she had lived, with Christian resignation "May our last end be like her's."—*Com.*

FAYETTEVILLE MARKET—JANUARY 23.

Brandy, peach,	$1	Molasses,	36 a 40
Ditto, apple,	80	Nails, cut,	7½
Bacon,	11 a 12	Sugar, brown,	8 a 12
Beeswax,	25	Lump,	16
Coffee,	12½ a 13½	Loaf,	18 a 20
Cotton,	10 a 12½	Salt,	85 a 90
Cotton Yarn,	20 a 30	Sack,	$2 75 a $3
Corn,	80 a 85	Tobacco, leaf,	6 a 8
Candles, F. F.	18 a 20	Cotton Bagging,	16a 20
Flaxseed,	$1 50 a $1 60	Bale Rope,	8 a 12½
Flour,	$6½ a 7½	Wheat,	$1 35 a $1 40
Feathers,	45	Whiskey,	60
Iron,	5½ a 6	Wool,	25 a 30

COMMERCIAL RECORD.

ARRIVED, on Sunday last, Steamer Henrietta, with tow boat, with Goods for sundry persons.
DEPARTED, yesterday, Steamer Henrietta.

Port of Wilmington.

ARRIVALS.

Jan. 11. Schr Wave, from Nassau.
Brig Annawan, from Antigua.
Standard, from Jamaica.
Schr Macala, from Cuba.
Gil Blas, from Charleston.
Albion, from do.
12. Thomas, from do.
Brig Baltic, from Demarara.
14. Schr Augustus Lord, from Charleston.
State Rights, from do.
Brig Wm. Purington, from Tobago.
Empire, from Charleston.
16. New York, from Boston.

DEPARTURES.

Jan. 12. Brig Thorn, for Matanzas.
Napoleon, for Guadaloupe.
John Hancock, for Havana.
14. Schr State Rights, for St. Croix.
Catharine Nichols, for New York.
15. Brig Sarah & Phœbe, for Matanzas.
Schr Wm. Allen, for Boston.
Andrew Adams, for Porto Rico.
16. Roanoke, for do.
Moro, for Havana.
Gem, for New York.
Velocity, for Barbadoes.

VALUABLE
Summer Establishment
FOR SALE.

WILL be sold, at the Town House in Fayetteville, at Auction, on Tuesday the 26th day of February next, at 12 o'clock, Noon, (if a fair day, if not, the first fair day,) that desirable, pleasant and healthy

SUMMER RESIDENCE,

Known by the name of Walton, situate about one and a half miles from Town, on the road to Raleigh, near the residences of the Hon Robert Strange, Charles T. Haigh, Esq and Mr. John McLaurin, Sen., consisting of a very commodious Dwelling House, and all necessary Out Houses appurtenant thereto, and two sets of Stables;—comprehending about 90 acres of Land, on which there is a good Meadow, Garden, Orchard, a small Field, and a small piece of Wood Land, formerly the property of the late John Murchison, afterwards of Col. Samuel Ashe, and now of his daughter Mrs. Moses. It is sold because the Proprietor has removed from the State.

TERMS OF SALE.—Bond, with sufficient security, bearing interest from day of sale, payable in two years, with a mortgage on the premises, or Cash without discount of interest.

By order of the Proprietor,
WILLKINGS, Auctioneer.
January 22, 1839. 29ts

Just received by Henrietta,

A LARGE quantity of new crop PRUNES, in fine fancy boxes.

DAVID SHAW.
January 23, 1839. 29 3w

Pittsborough Academy.

THE Trustees of this Institution, having procured the services of a very competent and experienced Teacher, Mr. J. M. Lovejoy, beg leave to recommend it to the notice of parents and guardians. Mr. Lovejoy has had charge of this school for the last six months, with about thirty boys under his tuition; and the Trustees and parents express universal gratification at the skilful and successful management of that gentleman as a Teacher. Boys are prepared for College at cheap rates, under the most approved discipline and strictest attention to their morals, and general deportment.

The location is perfectly healthy, and board can be obtained at $10 per month in respectable families.

Terms of tuition for students in the classics, per session commencing the 14th January 1839, $18; for all other students, $15.

By order of the board,
M. Q. WADDELL, Secretary.
January 1, 1839. 29-3m.

Molasses.

39 HHDS. prime New Orleans MOLASSES, received per Steamer Henrietta and for sale by EDW'D W. WILLKINGS.
January 22, 1839 29tf

LANDS for sale.

THE LAND known as the John Shaw place, near Town, is offered at Private Sale, and if not disposed of before the 31st inst., will on that day be sold to the highest bidder. Sale to take place at the Town House, at 12 o'clock, Noon.

HALL & JOHNSON.
January 22, 1839. 29 2w

Notice.

THE Subscriber hereby gives notice that he will in future attend to any Commission Business which may be instrusted to his care.

All GOODS sent him will be sold and forwarded with all possible despatch.

JOHN BANKS.
Wilmington, N. C., Jan. 15, 1839. 29 4tpd

Land for Sale.

THE Subscriber offers for Sale, 1500 acres of LAND, about 14 miles below Fayetteville, part lying on the Cape Fear River, the other part Pinewood Land. There is an excellent stream running through said Land, with a SAW MILL, (in operation) and several other sites which would answer for Wool or Cotton Factories. The above Land will be offered at private Sale till the first of May. If not sold by that time further notice will be given.

ALFRED JACKSON.
Cumberland County, Jan 23, 1839. 29tf

MANAGER'S OFFICE,
Richmond, Virginia.

$30,000!! $10,000!!!

VIRGINIA STATE LOTTERY,
For the benefit of the Monongalia Academy
Class No. 1 for 1839.

To be drawn at Alexandria, Va. on Saturday, 9th February, 1839.

CAPITALS
CAPITAL 30,000 DOLLARS.
10,000 do.
$7,000, $5,000, $4,000, $3,000, $2,165.
25 Prizes of $1000, 50 of $500, 50 of $200, 88 of $150, 63 of $100, &c.

Tickets only $10; Halves $5; Quarters $2 50.

Certificates of Packages of 25 Whole Tickets $130—Do. do. 25 Half do $65—Do. do. 25 Quarter do $32 50.

THE MOST SPLENDID YET!

50,000 Dollars!!!

75 Number Lottery—14 Drawn Ballots.
Making nearly as many Prizes as Blanks.

VIRGINIA STATE LOTTERY,
For the benefit of the Mechanical Benevolent Society of Norfolk.
Class No. 1 for 1839.

To be drawn at Alexandria, Va., on Saturday, 16th February, 1839.

BRILLIANT SCHEME.
1 Prize of $50,000 1 Prize of $10,000
1 Prize of 5,000 1 Prize of 4,000
$3,000, $2,000, $1,615.
10 Prizes of $1,000, 10 of $750, 12 of $500, 25 of $300, 75 of $200, &c. &c.

Tickets only $10; Halves $5; Quarters $2 50.

Certificates of Packages of 25 Whole Tickets $120—Do. do. 25 Half do. $60—Do. do. 25 Quarter do. $30.

$30,000!! $10,000!!!

VIRGINIA STATE LOTTERY,
For the benefit of the Town of Wheeling.
Class No. 2 for 1839.

To be drawn at Alexandria, Va., on Saturday, 23d February, 1839.

GRAND CAPITALS.
CAPITAL 30,000 DOLLARS.
10,000 do.
$8,000, $5,000, $4,000, $3,120.
30 Prizes of $1,500! 50 of $500, 50 of $400, 50 of $300, &c. &c.

Tickets only $10; Halves 5$; Quarters $2 50.

Certificates of Packages of 26 Whole Tickets $140—Do do. 26 Half do. $70—Do. do. 26 Quarter do. $35.

☞ Orders for Tickets and Shares or Certificates of Packages in the above Magnificent Schemes, will receive the most prompt attention, and an official account of *each drawing sent* immediately after it is over to all who order from us. Address,

D. S. GREGORY & CO.,
29- tpd] MANAGERS, Richmond, Va.

Sheriff's Sale for Taxes.

WILL be sold, at the Court House in Smithville, Brunswick County, on the first Monday in March next, the following pieces or parcels of LAND, to pay the Taxes due thereon for the years 1836 and 1837, viz.—

Philip Fabo 350 acres on Vines' Bay:
Nathan Williams 366 do. on Fox Grove.
Edward Williams 140 do. North West River.
Thomas Bosefoot 100 do. on Livingston Creek.
John Browning, Jr 201 do. on Livingston.
Demosthenes P. Duval 201 do N West River.
Duncan Howel 93 do. on Hood's Creek.
John Holmes 145 do. on Beaver Dam.
Estate of John Heartsfield 250 do. on Wayman Creek.
Alexander King 384 do. on Belming's Creek.
Joseph Lowe 121 do on the Big Branch.
George Lowe 92 do. on Wayman Creek
Joshua Long 115 do. on Livingston Creek.
Ann Nettleton 198 do. on Hood's Creek.
Samuel Overton 125 do on Fayetteville Road
John Phillips 50 do on Mill Creek.
John Russ 100 do. on the Green Swamp.
Allen Rowell 50 do. on Mill Creek.
Mary Rowell 50 do. on do.
Solomon Robbins 203 do. on Grit's Mill
Joel Robbins 115 do. on North West River.
Daniel Shaw 640 do. on Hood's Creek
Anthony Skipper 100 do. on Hood's Creek.
Elizabeth Cumbo 50 do. on Russell's Branch.
John Evans 150 do. on Town Creek
Bennet Flowers 100 do on Dorsey's Creek.
Joseph Groves 100 do on the Beaver Dam.
Thomas Groves 150 do. on Hood's Creek.
John Jones 247 do. on Bear Branch.
Nehemiah Keeter 50 do. on Swamping Hall.
Charles Murrell 300 do. on Town Creek.
James Potter, Jr 50 do. on Swamping Hall.
James P. Potter 75 do. on Town Creek.
George W. Reaves 150 do. on do.
Solomon Benton 200 do. near Shingle Tree Sw.
Estate of Anthony Sweat 1400 do. in Hoskins' Neck.
Emily R Ganse 820 do. on Shalloate.
Edward Reaves 75 do. on Waccamaw.
Stephen Thorp 350 do. on Hare's Swamp.
James R. Robinson 100 do on Oxpen.
Estate of F. W. Pasploss 50 do. on Shalloate.
Estate of Mary Walker 300 do. called the Middle Grant Tract.
700 acres called the Mill Tract.
100 do called the Labuck.
320 do called the Hill's Farm.
John H. Rogers 350 acres on Town Creek.

WM. HANKINS, Sheriff.
January 12, 1839. 29ts

CHEAP PAPER

For sale at the Book Store of

E. J. HALE.

SOUTHERN TONIC.
COSTER & COXE.

AGUE AND FEVER,

And every symptom of general Debility, speedily and permanently cured by

COSTER & COXE'S
ORIGINAL
SOUTHERN TONIC.

COSTER & COXE, the inventors of this celebrated medicine, from a long residence in the South, and from the nature of their vocation, have been brought immediately in contact with the Ague and Fever in its most obstinate forms, and have frequently been compelled to witness the entire want of success in the practice of the most skilful Physicians. The usual and popular mode of treating this disease has been, first to evacuate the stomach and bowels, and then resort to the use of Tonics—of which class of Medicines a very great variety have been recommended to the Public—all of which have had their advocates, and that which has been by far the most popular one, has been Peruvian Bark and its preparations, particularly that of *Quinine*. There are insurmountable objections to the administration of Quinine, as to most individuals, (when carried to a salutary point,) it produces a roaring in the ears, nausea, and a headach, very similar to a bilious headach; and when it effects a cure it is seldom permanent. It was the hope of avoiding this state of things that induced us to try the "Southern Tonic," and we are happy to say that its success has surprised *even us*. As there is no Arsenic, Mercury, or any thing *in the least* hurtful to the human constitution in it, there can be no objection to the administration of the Southern Tonic to the most tender infant; indeed it will be found the most delicate and effective medicine known in those cases of Disorganized Stomach and Bowels, and of general debility which so frequently present themselves in children.

☞ A supply of the above Medicine has been received, on consignment, by E J. Hale, Fayetteville, N C. Price $1 per bottle, or $9 per dozen.

NEW GOODS.

THE SUBSCRIBERS are now receiving their FALL AND WINTER STOCK, comprising a complete assortment of

DRY GOODS,

Hardware and Cutlery, &c.

ALSO, a general assortment of

GROCERIES,

Consisting in part of—

10 HHDS SUGAR.
50 Bags Rio COFFEE.
200 pair Bright and Blue TRACES.
100 kegs NAILS, assorted.
12 casks prime CHEESE
20 boxes Bunch & Bloom RAISINS.
Collins' & King's AXES, &c.
—ALSO—
100 cases SHOES and HATS,

Well worthy the attention of Country Merchants, are offered at Wholesale, by

NOTT & STARR.

October 31, 1838. 17tf.

NEW GOODS.

THE Subscriber has received his Purchases for the Fall and Winter Trade, comprising an Extensive and General Assortment of

GROCERIES,

HARDWARE & CUTLERY,
Crockery, Glass & China-ware,

Together with a General Assortment of

STAPLE & FANCY DRY GOODS.

Also, a Large and General Assortment of

Men's, Women's and Children's Shoes, Boots and Slippers, Fur and Wool Hats, Fur and Seal Caps, &c. &c.

Also, all kinds of Foreign and Domestic LIQUORS, WINES, &c —all of which will be sold at LOW PRICES for *Cash, Back Country Produce*, or on *short credit* for approved Notes.

The public are invited to call and examine for themselves.

G. B. ATKINS,
Foot of Hay Mount.

Fayetteville, October 23, 1838. 16tf

Mill Stones.

THE Subscriber having recently opened a new Quarry of superior Grit, is prepared to furnish any number of Stones, either at the Quarry or at the Store of C J. Orrell, Fayetteville. The quality of the Moore County Stones is so well known as not to need description, and the Subscriber will warrant all Stones sold by him. If they should not prove to be good, another pair will be furnished without charge. The price is lower than heretofore.

Persons wishing to purchase, can apply in person, or by letter addressed to Carthage, Moore County, N. C., with description of the size wanted.

JESSE SOWELL.

Moore County, May 1, 1838. 91-1Y

Dwelling House for sale.

A COMFORTABLE *DWELLING HOUSE*, with Out Houses attached. For particulars, apply to ELIJAH FULLER.

October 3, 1838 13tf

ENTERTAINMENT.

THE Subscriber, having been satisfactorily engaged for more than three years in attending to a

BOARDING HOUSE,

Feels encouraged to say to the public, that her HOUSE and STABLES are well furnished for the reception and accommodation of those who may be pleased to call.

E SMITH.

Mrs. Smith is prepared to entertain Stage Passengers, should any think proper to call. Their Baggage shall be removed to and from the Stage Office free of charge.

☞ My Residence is on the corner of Gillespie street, the Lot formerly occupied by Mrs. Barge, convenient to the Market and near the State Bank.

Fayetteville, Sept 1, 1838. 9 tf

NEW
AUCTION STORE.

I HAVE taken the Store on Person Street, one door West of the Bank of Cape Fear, for the purpose of transacting a GENERAL

Auction and Commission Business,

And offer my services to the public as such.

AMOS KIMBALL.

December 5, 1838. 22tf

LAMP OIL.

5 BARRELS Winter strained Sperm OIL. *Also*, a handsome assortment of

Crockery and Glass Ware,

Just received and for sale by

COOK & CO.

December 4, 1838. 22tf

13 HHDS. N. O. MOLASSES, now landing.

To the Citizens of N. Carolina.

PETERS' VEGETABLE ANTI-BILIOUS PILLS

HAVE been so long renowned for the purposes mentioned beneath, that they are now justly held in the highest estimation even in the remotest regions into which the genius of American commerce has penetrated. The fact is best proved by the immense patronage that they enjoy in all directions, which patronage is increasing to such an extent that it is with great difficulty (as he superintends all the process of manufacture himself) that the proprietor can supply orders.

Certain persons instigated by their great success, have been so barefaced as to *counterfeit* Peters' Pills, and are endeavoring to palm their vicious compounds upon the public, in various parts of the world, as the *genuine article*, and thereby many valuable lives are jeopardized in order to put money in the pockets of a pack of atrocious villains!

In order to remedy this glaring and desperate imposition, the purchaser MUST take especial care to look for the fac simile of the proprietor's signature, which will be found on the colored wrapper pasted round each box of the real Peters' Pills. *The counterfeiting of which is direct felony*

Therefore, if purchasers will only pay attention to this, they will be safe from imposition, as Dr. Peters has offered, and again hereby offers A THOUSAND DOLLARS REWARD for the apprehension of any person who *counterfeits his signature!!* a fact which has thus far, and may hereafter, deter any impostor from attempting so hazardous a speculation.

The following complaints are few of the many for the cure of which Dr. Peters' Pills are so widely celebrated, viz: Bilious Fever, Fever and Ague, Dropsy, Liver Complaint, Enlargement of the Spleen, or Fever Cake, Headache, Habitual Costiveness, Lowness of Spirits, Loss of Appetite, Indigestion and Sourness of Stomach And in all the diseases peculiar to Females they will be found highly beneficial.

Prepared by JOS. PRIESTLY PETERS, M. D., No. 129, Liberty Street, New York. Each box contains 40 Pills. Price 50 cents

☞ Be careful and inquire for PETERS' VEGETABLE PILLS. They are for sale in Fayetteville at the Book Store of

E. J. HALE.

October, 1838

THE unparalleled reputation which Peters' Pills have acquired as a Medical Restorative, is the most unquestionable proof that can be given of their immense importance to the afflicted in almost every class of diseases. The number of letters received from patients recovered through their means is really prodigious, and the complaints which they have cured are almost as varied as they are numerous But still there are some in which they are more especially beneficial than in others; and among those may be named the too often fatal complaints of the stomach and bowels, such as Cholic, Flatulence and Indigestions, for which they are not only a *certain* but an *immediate* cure.

It is well known that from the disarrangement of the stomach and bowels arise nine-tenths of all the maladies of adult and declining life; that this is the foundation of *flatulency, spasmodic pains, indigestion, loss of appetite, &c*, and that those in their turn give birth to DROPSY, LIVER COMPLAINT CONSUMPTION and HABITUAL LOWNESS OF SPIRITS, therefore Peters' Pills being the very best medicine which has ever been discovered for the incipient diseases of the intestines, are necessarily the surest preventives of those dreadful and also general disorders which embitter mature life and drag so many millions to untimely graves.

In speaking thus, Dr. Peters arrogates nothing to himself that has not been conceded by the public. He is no needy quack or unknown speculator, who comes before the world as his own herald and witness; but is placed in a responsibility of situation by the patronage which he has enjoyed for years, and which is increasing to an extent unprecedented in the annals of medicine, that makes him careful to assert nothing which is not borne out by the most infallible proof, and hence he does not fear to be put to the test in any thing which he has promised respecting his Pills.

Dr. Peters is most happy to be able to state, on the authority of a great number of regular Physicians, that wherever his vegetable Pills have been introduced, they have almost superseded the adoption of mercurial experiments, for their peculiar faculty in sweetening the blood, and stimulating it to expel all noxious juices, and in giving strength and tone to the nerves, prevents disease from acquiring that strength which must be got under, if at all, by dangerous remedies.

Prepared by JOS. PRIESTLY PETERS, M. D., No. 129, Liberty Street, New York. Each box contains 40 Pills. Price 50 cents

☞ Be careful and inquire for PETERS' VEGETABLE PILLS. They are for sale in Fayetteville at the Book Store of

E J. HALE.

Quacks and their destructive Nostrums.

THE united testimony of Physicians throughout the United States has fully proved the *fact* that PETERS' VEGETABLE PILLS are the only true Vegetable Pills which will stand the test of *Analization*. Hence the proprietor would most earnestly urge them to the notice of those who have been in the habit of using as *cathartics* or *aperients* the destructive and irritating QUACK PILLS so generally advertised, and which are at best but slow consumers of the vital functions and *murderous* agents even to the most hale. It is true, most of them produce a purgative effect, and sometimes transient relief, but in most cases they injure the digestive organs, and an habitual resort to them must terminate in confirmed dyspepsia.

It is true that *cathartic* and *aperient* medicines are often required, but the nicest discrimination should always be observed in the selection, and if this be done nothing injurious can result from their use.

To produce this much desired result, Dr. Peters has made it his study for several years, and feels proud to say he has at length succeeded far beyond his expectations. The object of his Pills are to supersede the necessity of a frequent recourse to injurious purgatives, and to offer a medicine *safe, certain* and *pleasant* in its operation.

Prepared by JOS. PRIESTLY PETERS, M D., No. 129, Liberty Street, New York. Each box contains 40 Pills. Price 50 cents

☞ Be careful and inquire for PETERS' VEGETABLE PILLS. They are for sale in Fayetteville at the Book Store of

E. J. HALE.

DR. PETERS'
Vegetable Anti-Bilious Pills

ARE the cheapest and most approved Family Medicine ever offered to the public. They are extremely mild, neither causing sickness of the stomach, nor any unpleasant sensation in the system, as is too frequently the result from medicines given to act upon the bowels. They act specifically upon the Liver, when in a torpid condition, carrying off a large quantity of bile through the influence of the excernent function, which, if suffered to remain in the system, would produce either Jaundice, Liver complaint, Bilious Fever, Fever and Ague, or some other grievous bodily affliction. In all cases of torpor of the bowels, they act like a charm. In recent cases of Dyspepsia, they are a certain cure. Many persons who were subject to violent attacks of head-ache, have been much benefitted, and several perfectly cured in a few weeks by the use of these Pills. No family should be without them, as a portion, taken occasionally, would be the means of preventing much suffering from sickness. The testimony of thousands speaking in the highest terms of their efficacy might be added.

☞ Be careful and inquire for PETERS' VEGETABLE PILLS. They are for sale in Fayetteville at the Book Store of

E. J. HALE.

TO THE AFFLICTED.

Hadlock's Vegetable Powder and Sirup,

For Diseases of the Lungs, Liver Complaints, Dyspepsia, Coughs, Colds, &c.

THE operation of this Medicine is particularly mild and safe. It promotes a gentle and healthy perspiration and checks morbid and pernicious sweatings, relieves chronic affections and congestion of the lungs, assuages cough, promotes a free and mild expectoration, removes pains from the chest, relieves asthmatic or difficult respiration, corrects obstinate costiveness, and leaves the bowels in a regular and healthy state. Those painful symptoms which indicate diseased lungs readily yield to this certain remedy, when seasonably resorted to, and it restores the patient to the bodily vigor which that wasting disorder, the consumption, if left to its natural operation, so surely destroys.

For sale by the Proprietor, on Hillsborough street, and at the Store of James H. Hooper.

The Proprietor has received the following testimony from the Rev. Colin McIver, a gentleman well known:

FAYETTEVILLE, Dec. 13, 1837.

Mr James Hadlock—Dear Sir: As I count myself one of those who have derived benefit from your vegetable sirup, I cheerfully add my testimony in favour of its efficacy.

For some years I had been subject, every winter, to a cough, which, so long as it continued, was attended with more or less pain in my throat; but, as I generally found it to yield, in a week or two, to some common and simple remedy, and a little careful nursing, it ordinarily gave me little or no uneasiness. In the winter, however, of 1836, this annual guest continued his visit rather longer than was usual; and the ordinary modes of dismissing him, which, in former instances, had been attended with uniform success, in this last instance, seemed entirely to fail. To drop the figure, my cough continued during the whole of the winter, and appeared so obstinately to resist the ordinary means used for its removal, that I began seriously to apprehend that my lungs were in danger. As a last resort, I made trial of your vegetable sirup; and I have the pleasure to state, that, under the Divine blessing, less than one bottle of it entirely removed my cough; and restored my lungs to their former healthful state.

I remain, dear sir,
Yours truly,
COLIN McIVER

[11-6m]

Dr. PRATT & Co's
Artificial Nipples or Shields.

Washington City, Feb. 4th, 1834

HAVING examined Dr Pratt's new invented Nipple Shields, and witnessed its practical application among my patients, I take great pleasure in recommending it as decidedly superior to any thing previously known. It constitutes a perfect remedy for that distressing malady sore Nipples,—a disease which so frequently afflicts nursing women.

THOMAS SEWEL, *M. D*,
Prof of Anatomy & Physiology, Columbian College, D. C.

COPY OF DR DEWEES' CERTIFICATE.

Dr. ELIJAH PRATT—*Dear Sir:*—As I feel it a matter of much public importance to possess a means of curing the terrible sufferings from sore Nipples, I have much pleasure in being able to say, that the Shield you offer for the preventing and the cure of this malady is better adapted to the purpose than any I have heretofore seen. In the two or three instances I have known them to be used, much satisfaction has been expressed, and have no hesitation to believe, it will generally succeed. I am so well persuaded of this, at this moment, that I cannot forbear to express a wish that our city, through the various apothecaries, may be supplied with them.

I am yours, &c.
WM. P. DEWEES, *M D.*
Philadelphia, 13th January, 1834.

The Subscribers have had an opportunity of witnessing the application of Dr. E. Pratt & Co's Artificial Nipples, and were much pleased with the result.

This evidence in favor of the remedy, taken in connection with the annexed certificates of the justly celebrated Dr Wm. P. Dewees, of Philadelphia, and Dr. Thomas Sewel, of Washington City, leaves no reason to doubt that these Nipples or Shields will seldom fail in relieving Nursing Ladies who may suffer with sore Nipples, and consequently prevent one of the most distressing afflictions of the fair sex, Rising or Abscess of the breast.

Mr. JOSEPH HOLLINGSWORTH, of this town, is agent for Dr. Pratt & Co, and will furnish the Apparatus, with printed directions, on application at his Store on Person Street.

BENJ'N. ROBINSON,
JAMES H DICKSON.

Fayetteville, Feb. 5th. 1836. 91 1Y-pd

GEORGIA INSURANCE
And Trust Company.
At Augusta.

CAPITAL, ONE MILLION OF DOLLARS, Of which $627,000 is paid in, and invested in Bank Stocks, and the balance in a course of payment, by monthly instalments.

THE undersigned as agents of the above Company, will insure Houses and Goods against loss by fire, in any part of this State and will also take river risks between Fayetteville and Wilmington and any port on the coast.

STARK & PEARCE.

Fayetteville, Sept. 12, 1837. 58tf

HOLBROOK'S BELLS.

For Churches, Manufactories, Plantations, &c.

HOLBROOKS', the most celebrated Bell Founders in this country, having made arrangements with the Subscriber to receive and execute all orders for their Bells of any size, to 2,500 lbs which they will warrant of the very best sound and quality, not surpassed by any Bells in this country. Also, Town Clocks, Church and Parlour Organs, of superior finish and tones. Orders received and information given by

JAMES MARTINE.

N. B. They will warrant their Bells, and should any fail to give satisfaction, they may be exchanged for another. Also Old Bells recast.

Fayetteville, October 20. 59tf.

For Sale,

300 BUSHELS *HAIR* for Plaistering, &c., to be had at the Fayetteville Tannery.

L. S. BELDEN & CO.

September 11, 1838. 10tf

To Saw Mill Owners.

I WILL attend to the sale of Lumber in this place. Having been engaged in the business for six or eight years past, I am under the impression my acquaintance with this and foreign markets is such as to enable me to dispose of Lumber to the best advantage. Where Lumber is directed to be wharfed, the usual charge of Wharfage will be made. Fair advances made when wished.

O. G. PARSLEY.

Wilmington, N. C., Oct. 25, 1837. 65tf.

Revised Statutes.

THE Revised Statutes of North Carolina, published by order of the Legislature, may be had of the Subscriber. Price for the 1st volume alone, $5; for the 2d, $4; for both together $9.

E. J. HALE.

February 20.

EQUITY BLANKS.

Clerk and Master's Deeds,
Subpœnas to bring in parties,
PRINTED AT THIS OFFICE.

J. & J. KYLE

HAVE just received a large addition to their former supply of

DRY GOODS,

All of which being bought at the late Sales at the North, will be offered at the lowest Market price, for Cash or approved Paper,—among which are—

Superfine Blue, Black, Olive, Brown, Cinnamon, Claret and Drab CLOTHS,
Cassimeres, Sattinets, Blankets, Flannels and Domestic Goods, bleached and unbleached, 3-4 to 6-4,
3-4 and 6-4 Merinos, English and French,
1200 pieces Calicoes, well assorted,
Merino Shawls and Handkerchiefs, very cheap,
Linens and Lawns,
With many other Goods too numerous to mention.

By the next arrivals we will have about 75 PACKAGES more, which will make the assortment very large and general.

December 19, 1838. 24tf

New Books.

THE VISION OF RUBETA, supposed to be written by J Q Adams; The City of the Czar; Stranger in China; The Wife Hunter; Stanly, or Recollections of a Man of the World; Velasco; Ellen Glanville; Land Sharks and Sea Gulls; Hannah More's Accomplished Lady; Chesterfield's Letters, new and complete Edition; Evenings at Home, new and beautiful Edition; Art of Preserving Health; Meditations in Sickness and old age; Sam Slick, 2d Series; American Almanac for 1839; Burk's Works; Gibbon's Rome; Robertson's Works; Russell's Modern Europe; Melville's Sermons; Phillip's Devotional Works; Warren's Law Studies; New Music; Ruled Paper, (cheap,) &c. &c.

E. J. HALE.

December 26, 1838.

LAND for sale.

THE Subscriber wishes to sell two Tracts of LAND in Moore County, one (containing 150 acres of Oaky Land, about 30 of which are under cultivation,) lies between the waters of Upper Little River and Juniper Creek, is well timbered, and abounds with excellent Springs. It is well adapted to the cultivation of Corn, Cotton and Wheat. The other Tract (100 acres unimproved Pine Land,) lies on the waters of Crane's Creek, and contains a considerable quantity of Saw Mill Timber, which is contiguous to the Creek, a short distance above the point from which it is at present navigable.

The above Lands will be sold low, if application be made soon. The first Tract will be shewn by the Subscriber, the latter by Mr. Duncan Graham, who lives near it.

COLIN McFADYEN.

Moore County, Jan. 1, 1839. 26-3mpd

Molasses, &c.

20 HHDS PRIME MOLASSES,
10 bags St. Domingo COFFEE,
1 bale Brown Shirtings,
1 do do Sheetings,
1 case Bleached Shirtings,
1 do Sattinetts.

Expected in a few days,

50 bags prime Rio COFFEE,
20 casks CHEESE.

Also, in Store, at very low prices—

100 Reams Foolscap PAPER,
100 do Imperial Printing do,
100 do Medium do, do,
8 do Super Royal do, do,
50 do Wrapping do

SAM'L W. TILLINGHAST.

January 1, 1839. 26tf

Valuable Saddlery.

THE Subscriber offers for sale a first rate lot of SADDLERY, among which are—

15 Gentlemen's Saddles,
2 sets Carryall Harness,
2 do Gig do,
2 do Buggy do,
1 do elegant Coach do,

With Bridles, Collars, Whips, Saddle Bags, &c.

The above articles were all manufactured in this town by first rate workmen, and will be offered at Private Sale for a short time, after which they will be closed at Auction, of which due notice will be given.

AMOS KIMBALL.

December 19, 1838. 24tf

JOB PRINTING.

THE Subscriber, through the friendship of Mr. Hale, Editor of the Observer, for the use of his Printing Materials, offers his services to all who may think proper to employ him in the above line. Necessity compels him to this course. All work not personally delivered, will please be endorsed as follows:—"for J C." When not employed in the line of his profession, he would be glad to be employed as a penman.

JOHN CARNEY.

July 5, 1838.

Commission & Forwarding Agency.

THE Subscriber having established himself in Wilmington for the purpose of transacting the above business, respectfully tenders his services to the public. Goods consigned to him will be forwarded with the utmost despatch, and all necessary particularity observed.—Particular attention will be paid to the sale of Tobacco, Flour, Lumber, Staves, &c. as well as the purchase of Goods. He flatters himself that a knowledge of business, combined with unremitting attention, will secure him a share of public patronage.

WM. O. JEFFREYS.

REFERENCES—O. P. Stark, Nott & Starr, C. T. Haigh, John C. Latta, Jos. Baker, Yarbrough & Ray, W. S. Latta, Henry Horn *Fayetteville, N.C.*

96-tf.

Missouri Harmony.

400 COPIES of this popular Singing Book, just received. Also,
Webster's Spelling Books,
Pike's Arithmetic,

E. J. HALE

FOR SALE.

20 HHDS. MOLASSES,
1000 sacks Liverpool Salt,
100 kegs White Lead, (ground in Oil, part *pure*,)
10 barrels Loaf Sugar.

J. HUSKE & SON.

October 3, 1838. 13 tf

Caution!

THE Subscriber having purchased of H. & A. Beard the exclusive right of making and vending their Patent Right for Spring Saddles in Cumberland County, requests those who have not purchased a *Shop right*, to call and examine the testimony in favor of the invention as well as the invention itself;—as all who may have or do infringe on said right, lay themselves liable to the law, unless they have in possession a certificate showing their authority for using said Patent.

G W. McDONALD.

Fayetteville, Dec. 20, 1838. 24tf

Negroes wanted.

THE Subscriber is desirous to purchase 30 or 40 NEGROES, of both sexes, not under ten nor over thirty years of age, for which the highest cash prices will be given.

NEILL JOHNSON.

January 12, 1835. 19tf

ALMANACKS.

TURNER & HUGHES'S,
Farmers & Planters,'
Crockett's, & Comic; for sale by

E. J. HALE.

The PHŒNIX FACTORY

IS now in operation, and the CLOTH manufactured is for sale at the Store of

J H. HOOPER.

January 1, 1839. 26tf

Notice to Travellers going South.

THE PEOPLE'S LINE

Of four horse Post Coaches leaves Augusta every day, for Warrenton, by the Augusta and Athens Rail Road Cars, thence to Milledgeville, Macon and Columbus to Montgomery, Ala., by Stages, with Stock and Stages unsurpassed by any line in the Southern country. Great care has been observed in the selection of Drivers on this line, and none but sober and most experienced men have been employed. Passengers who avail themselves of the opportunity of taking this line of Stages, can be positively assured of more comfort and expedition, than can any other line now in operation between Augusta and Montgomery, Ala. Office at the United States' Hotel, Augusta, Ga.

GEO. W. DENT,
Agent for the Company.

Fayetteville, Sept. 12, 1838 14tf

French Burr Mill Stones For Wheat, and Cologne Stones for Corn.

HAVING been appointed Agent for the sale of the above Mill Stones in this State, by Messrs. Egenton & Morris, Manufacturers, of Baltimore, I would here inform those wanting the same, that they can be furnished by sending their orders to me at this place. We *warrant* the article to be *genuine*; if it is not, we furnish a new pair in their stead.

C. J. ORRELL,
Brick Buildings, Hay Street.

Fayetteville, Sept. 20, 1836. 8tf

TO COUNTRY MERCHANTS.
MORE NEW GOODS.

BY Steamer Cotton Plant I am now receiving my FALL AND WINTER

DRY GOODS,

Which consist of a GENERAL ASSORTMENT, well adapted for the demands of the Season, and bought principally at Package Sales for *Cash*, and are necessarily CHEAP,—and selected with care to suit this section of country.

Also, a heavy Stock of

GROCERIES,

Consisting in part of—

156 BAGS RIO COFFEE,
25 do Laguira do,
25 do Cuba do,
20 hhds. St. Croix SUGAR,
10 do Porto Rico do,
300 sacks Liverpool Salt,
100 kegs Nails and Brads, assorted,
50 do No. 1 White Lead, in Oil,
20 brls. Tanners' Oil, (*Shore & Banks.*)
50 b'xes Window Glass, 8 x 10 & 10 x 12,
20 tons Swedes and English Iron,
100 pair Bright Trace Chains,

Together with Sheet Iron, Weeding Hoes, Mousehole Anvils, Vises, Hammers, Bellows, &c. &c., Loaf and Lump Sugar, Teas, Shot, Lead, Powder, Wines and Spices of all kinds;—all of which will be sold as formerly very low for Cash, Country Produce, or on time to undoubted Paper.

☞ My Stock for the approaching Season is complete. Call and examine, or send your orders to

C. J ORRELL,
Yellow Brick Buildings, Hay Street.

Fayetteville, Oct. 12, 1838. 15tf

NEW GOODS! NEW GOODS!

The Subscriber is now receiving a large stock of

GOODS,

Consisting in part of CLOTHS, MERINOES, SATTINETS, HATS, BONNETS, SHOES, &c. &c. Being desirous to sell out by Spring, these Goods will be sold very cheap for Cash.

JOHN McARN.

January 3, 1838. 74tf

Notice.

THE Copartnership heretofore existing under the firm of Willkings & Belden, expires this day, by its own limitation. E. W. Willkings is duly authorized to settle the accounts of the concern.

E. W. WILLKINGS.
R. C BELDEN.

Fayetteville, June 30, 1838.

Strayed or Stolen,

FROM the Subscribers on Sunday night the 7th inst., a large black HORSE, about 16 hands high, 14 years old, somewhat scarred, and tolerably low in flesh. Any person who will return him shall be liberally rewarded.

L. S. BELDEN & CO.

October 17, 1838. 15tf

More Light.

THE Subscriber having leased from Mr Duncan Smith the "Fayetteville Candle Factory," will keep constantly on hand, at his Store on Green Street, a general assortment of CANDLES, at Wholesale and Retail. Being determined to devote all necessary attention to the Moulding and putting up of Candles, he hopes to receive a due share of public patronage. He will gladly receive and promptly attend to all orders from abroad for supplies on the most reasonable terms.

W. McL. McKAY.

October 9, 1838. 14tf

For Sale,

50 CASKS unslacked Thomastown LIME,
10 qr. casks fine old London particular Madeira Wine,
3 casks London Porter,
6 barrels Tanners' Oil,
10 boxes Sperm Candles.

JOHN HUSKE & SON.

November 20, 1838. 20tf

Buggy and Harness.

JUST received from Philadelphia, by Steamer Cotton Plant, an elegant new BUGGY and HARNESS, running on four wheels, and for sale by C. J. ORRELL.

November 12, 1838 19tf

SALE.

BY virtue of a Decree of the Court of Equity for the County of Cumberland, made in the suit therein pending, in which Thomas J. Curtis and Anthony Horton are Complainants, and the Legatees of Duncan McLaurin are Defendants, I shall expose to Public Sale, on Monday the 4th day of February, 1839, at the Court House, at 12 o'clock, (it being the first Monday in the month) the following SLAVES, eight in number, namely:—Sam, Isaac, Amy, Lovedy, Sarah and Child Rachael, Lewis and William, being part of the Estate of the late Duncan McLaurin.

Terms—Cash.

ARCH'D A. T. SMITH,
Clerk and Master.

December 22, 1838. 25ts

Notice.

THE Subscriber would inform the public, that he intends carrying on the business of GUN SMITHING, on the North side of Hay Street, three doors below the corner of Hay and Hillsborough Streets, where he intends stocking Rifles, Shot Guns and Pistols, besides Repairing Locks; and all other business in the line will be done in the neatest order.

Also, constantly on hand, a large stock of Shot Guns, Rifles, Pistols, &c., all of which will be sold at low prices for Cash.

E. A. HARPER.

January 1, 1839. 26-1y

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100 CASKS THOMASTOWN LIME,
Just received by
J. HUSKE & SON.

January 1, 1839. 25tf

Dissolution of Copartnership.

THE Copartnership heretofore existing under the firm of Johnson & Martin, is this day dissolved by mutual consent, and all persons indebted to said firm are requested to make payment to Peter P. Johnson, who is authorized to receive the same.

PETER P. JOHNSON
JOHN R MARTIN.

Witness, NORMAN McKINNON.
Fayetteville, Sept 4. 1838.

Peter P. Johnson

HAS just received a large and fine assortment of Ladies' SHOES.

October 2, 1838. 15

MONUMENTAL
MARBLE SHOP,
Liberty Point, Fayetteville

(OPPOSITE THE JACKSON HOTEL)

WHERE can be had at short notice various kinds of MONUMENTAL WORK. Those who have occasion to get the like, would do well to call before purchasing elsewhere.

JAMES FOSTER.
23 6m

December 10, 1838.

The Subscriber

HAS lately received a GENERAL ASSORTMENT of

DRY GOODS,
GROCERIES,
Hardware, Hats, Shoes, &c.

—ALSO—

"Rowland's Mill Saws," Thomastown Lime, (unslacked,) No. 1 and pure White Lead, in Oil, Tanners', Linseed and Winter strained Oil.

H. LEETE,
Green S[t.]
23

December 12. 1838.

State of North Carolina.

RICHMOND COUNTY.

Court of Pleas and Quarter Sessions, October Term, 1838.

Silas Jones, Admr. of Cameron Wright, deceased, vs. Daniel McLauchlin, Admr. of John McInnis, dec'd. } *Original Attachment levied on Land.*

IT appearing to the satisfaction of the Court that Daniel McLauchlin, Admr. &c, the Defendant in this case, is not an inhabitant of this State, It is Ordered by the Court, That advertisement be made in the Fayetteville Observer for the space of six successive weeks, for the Defendant to appear at the next Court of Pleas and Quarter Sessions, to be held for the County of Richmond, at the Court House in the town of Rockingham, on the 3d Monday of January next, and plead, replevy, answer or demur, or the land levied on will be condemned to the Plaintiff's recovery.

Witness, Graham A. Nicholson, Clerk of said Court, at Office, the 3d Monday of Oc[tober,] 1838.

24 6w G. A. NICHOLSON, C. C.

State of North Carolina.

RICHMOND COUNTY.

Superior Court of Law, Fall Term, 1838.

Anna Smith vs. James B. Smith. } *Petition for Divorce.*

IN this cause a Subpœna, returnable to Spring Term, 1837, was issued to James B. Smith, the Defendant, commanding him to appear and answer the petition of Anna Smith, the Plaintiff, and returned "executed," and he failing to appear and plead or answer to the said petition, an alias subpœna was, by order of said Court, issued to Fall Term, 1838, which was returned "not found," and therefore proclamation was publicly made by the Sheriff, at the door of the Court House, for the said Defendant to appear and answer the said petition, and the said Defendant failing so to appear and answer: It is now ordered by the Court, That notice of the foregoing be given by advertisement in two newspapers for three months, commanding the said James B. Smith to appear and answer the said petition at the next Superior Court of Law, to be held for Richmond County, at the Court House in Rockingham, on the third Monday of March next, or the said petition will be taken as confessed and the cause will be heard *ex parte*.

Witness, William B Cole, Clerk of our Court, at Office, the fourth Monday of September, A. D 1838, and in the sixty-third year of American Independence.

[24 3m WILLIAM B. COLE. C. S. C.

State of North Carolina.

RICHMOND COUNTY.

Superior Court of Law, Fall Term, 1838.

John Everitte vs. Silas A. Drake. } *Attachment levied on Land.*

IN this case it appearing to the satisfaction of the Court, that the defendant is not a resident of this County, It is Ordered, therefore, by the Court, That public advertisement be made for six weeks, commanding the Defendant to appear at our next Superior Court of Law, to be held for the County of Richmond, at the Court House in Rockingham, on the third Monday of March next, and plead to the above suit, or final judgment will be had against the land attached.

Witness, William B. Cole, Clerk of our Court, at Office, the fourth Monday of September, A. D. 1838, and in the sixty-third year of American Independence.

24 6w WILLIAM B. COLE. C. S.

State of North Carolina.

ROBESON COUNTY.

Court of Pleas and Quarter Sessions, November Term, 1838.

Jacob Thompson and others, vs. James Thompson and others, all heirs and distributees of Charity Thompson, dec'd. } Petition for Sale of Ne[groes.]

IT appearing to the satisfaction of the Court that James Thompson, Wiley Thompson, Alexander Townsend and wife Lavinia, Elias Townsend and wife Bede, Defendants in this suit, are out of the State: Ordered, That publication be made five weeks in the Fayetteville Observer, for the said Defendants to appear at the next session of this Court, to be held for the County of Robeson aforesaid, at the Court House in Lumberton, on the 4th Monday in February next, to make defence, or the prayer of the petition will be taken pro confesso and heard accordingly.

Witness, Shadrach Howell, Clerk of the County Court aforesaid, at Office, the 4th Monday of November. A. D 1838, and in the 63d year of American Independence.

25 5w SD'H. HOWELL, C. C.

State of North Carolina.

MOORE COUNTY.

Court of Pleas and Quarter Sessions, November Term, 1838.

Alfred Brower, Admr. vs. John Garner and others. } *Petition for Settle[ment.]*

IT appearing to the satisfaction of the Court that Robartes Kennedy and wife Nancy, and Bradley Garner, are not residents of this State, it is therefore ordered by the Court, That publication be made of this petition in the Fayetteville Observer, for six weeks, that the said Robartes Kennedy, Nancy his wife, and Bradley Garner, make their personal appearance at the Court House in Carthage, on the third Monday in February next, then and there to plead, answer or demur to said petition, or the same will be taken pro confesso as to them, and heard ex parte.

Witness, Alexander C. Curry, Clerk of said Court, at Office, the third Monday of November, A. D. 1838.

24 6w A. C. CURRY, C[lerk.]

[VOL. XX...

PRINTED AND P[UBLISHED]
By Edw...

$2 50 per annu[m]
if paid during the
$3 50 at the end

ADVERTISEMEN[TS]
...r square for the firs[t]
...cceeding publicatio[n]
...to state the numb[er]
...ey will be continu[ed]
...cordingly.
☞ Letters to the ...

VA...
Summer ...

WILL be sold, at ...ville, at Aucti[on] ...f February next, at ...ay, if not, the fir[st] ...leasant and healthy ...

SUMMER

...nown by the name ...nd a half miles from ...igh, near the res[idence] ...trange, Charles T ...cLaurin, Sen., con ...welling House, and ...ppurtenant thereto ...omprehending abo[ut] ...ere is a good Mead[ow] ...ield, and a small p[lantation] ...e property of the ...ards of Col. Samue[l] ...r Mrs. Moses. It ...as removed from th[e] ...

TERMS OF SAL[E] ...unity, bearing inter[est] ...two years, with a ...ash without discou[nt] ...By order of the P...

January 22, 1839.

Just receiv[ed]

A LARGE quanti[ty] ...fine fancy box...

January 23, 1839.

---

39 HHDS. prim... received per ...

January 22, 1839.

LAN[D]

THE LAND kn[own] ...near Town, is ...t disposed of bef[ore] ...ay be sold to the ...lace at the Town ...

January 22, 1839.

Lan[d]

THE Subscriber ...LAND, abou[t] ...art lying on the ...inewood Land. ...unning through s... ...n operation) and ...nswer for Wool ...and will be offe[red] ...f May. If not ...ll be given.

Cumberland Co...

Pittsbor[o]

THE Trustees ...cured the serv[ices] ...xperienced Teac[her] ...eave to recomme[nd] ...nd guardians. ...his school for the ...hirty boys under ...nd parents expre[ss] ...kilful and succes[sful] ...nan as a Teacher ...ege at cheap ra[tes] ...iscipline and stri[ct] ...nd general depo[rtment] ...The location is ...an be obtained a[t] ...amilies. ...Terms of tuitio[n] ...er session comm... ...$18; for all other ...By order o[f] ...M

January 1, 1839.

Sheriff's

WILL be sold ...ville, Brun... ...ay in March nex[t] ...of LAND, to pay ...years 1836 and 1...

Philip Fabo 350
Nathan Williams
Edward Williams
Thomas Bes foot
John Browning.
Demosthenes F.
Duncan Howel 9...
John Holmes 14...
Estate of John H...
Creek.
Alexander King
Joseph Lowe 12...
George Lowe 92
Joshua Long 115
Ann Nettleton 1...
Samuel Overton
John Phillips 50
John Russ 100 d...
Allen Rowell 50
Mary Rowell 50
Solomon Robbins
Joel Robbins 115
Daniel Shaw 640
Anthony Skipper
Elizabeth Cumb...
John Evans 150
Bennet Flowers
Joseph Groves 1...
Thomas Groves
John Jones 247 d...
Nehemiah Keote...
Charles Murrell
James Potter, Jr
James P. Potter
...rge W. Rea...
...non Benton
...s of Anth...
Neck.
...y R Gause
Edward Reaves
Stephen Thorp
James H. Robins...
Estate of F. W.
Estate of Mary W...
Grant Tr...
700 acres called
100 do called th...
320 do called th...
John H. Rogers

January 12, 18...